2837.

SUPREME COURT OF THE UNITED STATES.

No. 82.

WILLIAM A. SMITH ET AL., APPELLANTS,

vs.

LEROY SWORMSTEAD ET AL.

APPEAL FROM THE CIRCUIT COURT UNITED STATES, FOR THE DISTRICT OF OHIO.

INDEX TO PLEADINGS.

	Original.	Print.
Bill of complaint	2	1
Subpœna and marshal's return	14	10
Answer of Swormstead et al	16	11
Answer of James B. Finley	51	31
Replication to answers	55	33
Death of H. B. Bascom suggested, and appearance of Wm. A. Smith in his stead entered	56	33
Decree final	56	33
Appeal prayed and allowed	57	34
Appeal bond	58	34
Agreement of counsel	59	35

INDEX TO EXTRACTS AND DOCUMENTS ADMITTED IN EVIDENCE.

Allowance to preachers	87	51
Andrew, Bishop, letter of, to Bishop Soule	329	217
Do do to Louisville convention	285	187
Annual conferences, who compose	87	51
Do do want of votes in, to change rule	194	127
Articles of faith, certain of them	83	49
Bishop Andrew's case	138	81
Bishops, their duty, &c	69	40
Bishops, extracts from addresses of	116	68
Bishops, the action of, at New York	325	214
Books, and profits therefrom	75	44
Border, resolution on	291	192
British conference, addresses from	122	71
Do do do to	122	71
Proceedings thereon	125	74

[GIDEON, Print.]

	Original.	Print.
Canada case	90	53
Change in organization of General Conference	70	40
Changes in discipline	64	38
Changes in restrictive rules	73	42
Commissioners, letters to and from	341	225
Conferences prior to delegated General Conference	63	37
Conference, Alabama, action of	274	181
Arkansas	250	164
Florida	271	178
Georgia	265	175
Holston	237	155
Indian Mission	264	173
Kentucky	230	151
Memphis	243	160
Missouri	233	153
Mississippi	247	162
North Carolina	257	168
South Carolina	259	170
Tennessee	239	157
Texas	273	179
Virginia	254	166
Constitution of Delegated Conference	70	41
Convention, southern	278	183
Bishops present invited to preside at	278	183
Bishop Soule's address to	278	183
Delegates from slaveholding States—		
Their meeting at New York	224	147
Their proceedings and resolutions	224	147
Their address to their constituents	225	147
Their meeting in Louisville Convention	278	183
Discipline, edition of	60	35
First discipline of the church	64	38
Discipline of 1840—		
Extracts from, (as follows)	83	49
Certain articles of faith	83	49
Of the General Conference	85	50
Of the annual conferences	87	51
Allowance to preachers, &c.	87	51
Books, and profits therefrom	88	52
Of slavery	89	52
Discipline of church, South	350	231
Drake, Mr., his resolution in General Conference of 1844	229	150
Durbin, Dr., his resolution in same conference	230	150
Emory's History of the Discipline—		
Extracts from, as follows)	60	35
Editions of the Discipline	60	35
Travelling preachers holding slaves	60	35
Organization of Methodist Episcopal Church	61	36

	Original.	Print.
Emory's History of the Discipline—		
Mr. Wesley's Letter on Organization	61	36
First General Conference at Baltimore	63	37
First Discipline of Methodist Episcopal Church	64	38
Annual Conference of 1785, on Slavery	68	39
Change in Discipline in 1787	68	40
Nature and Constitution of the Church in 1789	68	40
Constituting Bishops, and of their duty, in 1789	69	40
Of the General Conference, from 1792 to 1808	70	40
Last meeting of all Preachers, in	70	41
Organization and Constitution of Delegated General Conference, in 1808	70	41
Change in ratio of Representation in 1836	73	43
Bishops, and their duty, 1792	73	43
Do. do. 1804	74	43
Books, and profits therefrom, 1800	75	44
Do. do. 1804	77	45
Of Slavery, 1785 to 1824	78	46
General Conference—		
Prior to 1808	63	37
Last meeting of all Preachers, in	70	41
Constitution of Delegated General Conference	70	41
Who shall compose	85	50
Regulations and powers	85	50
Harding, F. A., proceedings in his case	133	79
Journal of the General Conferences—		
Extracts from those of 1828, 1832, and 1836, (as follows)	90	53
Canada case	90	53
Change of Restrictive rules	111	65
Extracts from the Journal of 1840, (as follows)	114	66
Westmoreland Memorial	114	67
Report of Committee on Slavery	115	67
Address of Bishops, (extracts from)	116	68
Address of British Conference, (extracts)	122	71
Address of General Conference to British Conference, (extracts)	123	72
Proceedings on Address of British Conference	125	74
Report on Westmoreland petition	126	74
Extracts from Journal of 1844, (as follows)	133	79
Case of F. A. Harding	133	79
Case of Bishop Andrew	138	81
Protest in Bishop Andrew's case	157	93
Reply to the protest	170	106
Report of Select Committee of nine	183	119
Address of Bishops, (extract)	189	123
Extracts from Journal of 1848, (as follows)	192	126
Resolution, requesting of Bishops information as to violations of plan, &c.	192	126

	Original	Print.
Journal of the General Conference—		
Reports of Committee on vote of the Annual Conferences, as to change of sixth Restrictive rule	193	126
Proceedings declaring plan void	194	127
Final report of Committee on state of the Church	196	128
Report on infractions of the plan	212	139
Journal of Louisville Convention, (extracts from)	278	183
General Conference of Church South	341	225
Morris, Bishop, letter of	335	220
Organization, southern, Committee on, appointed	281	185
instructed	282	185
first report of	283	186
second report of	284	186
third report of	286	187
final report of	291	192
Pastoral address	286	188
Resolution on	291	191
Preachers, allowance of	87	51
Protest, (in Bishop Andrew's case)	157	93
Plan of separation, (so called)	186	120
same declared void	195	128
infractions of same	212	139
Reports of Committees—		
On Westmoreland petition	126	74
On Canada case	104	53
Of Committee of Nine, (so called plan)	186	120
In reply to protest	170	106
On votes to change sixth Restrictive rule	194	127
On state of Church, (final report)	196	128
Restrictive rules	86	50
Slavery—		
Travelling preachers holding slaves	60	35
Rules respecting, in various disciplines	78	46
Sections thereon, in Disciplines of 1840	89	52
Soule, Bishop, letter to Louisville Convention	285	187
Bishop Andrews	285	188

At a circuit court of the United States of America, within and for the district of Ohio, begun and held at the city of Columbus, on the third Tuesday, being the nineteenth day of October, in the year of our Lord one thousand eight hundred and fifty-two, and of the independence of the United States of America the seventy-seventh, before the honorable Humphrey H. Leavitt, one of the judges of said court, among the proceedings had were the following, to wit:

WILLIAM A. SMITH et al.
vs.
LEROY SWORMSTEDT et al.
} In chancery.

Be it remembered, that heretofore, to wit, on the twelfth day of July, in the year of our Lord one thousand eight hundred and forty-nine, came the said complainants, by their solicitors, and filed in the clerk's office of said court their certain bill in chancery against the defendants, in the words and figures following, to wit:

UNITED STATES OF AMERICA,
Circuit court, district of Ohio.

To the honorable the judges of the circuit court of the United States, for the district of Ohio, next to be holden at the city of Columbus, on the third Monday in July next.

The bill of complaint of Henry B. Bascom, a citizen of Lexington, in the State of Kentucky; Alexander L. P. Green, a citizen of Nashville, in the State of Tennessee; Charles B. Parsons, a citizen of Louisville, in the State of Kentucky; John Kelly, a citizen of Wilson county, in the State of Tennessee; James W. Allen, a citizen of Limestone county, in the State of Alabama; and John Tevis, a citizen of Shelby county, in the State of Kentucky—

Against Leroy Swormstedt and John H. Power, Agents of the "Book Concern" at Cincinnati, and James B. Finley, all of whom are citizens of the State of Ohio; and George Peck and Nathan Bangs, who are citizens of the State of New York; who are made defendants to this bill.

Humbly complaining, the complainants state and show to your honorable court, that before and on the —— day of —— 1844, there existed in the United States of America a voluntary association, known as the Methodist Episcopal Church, in the United States of America; not incorporated by any legal enactment, but composed of seven bishops, four thousand eight hundred and twenty-eight preachers belonging to the travelling connexion; and in bishops, ministers, and membership, about one million one hundred and nine thousand nine hundred and sixty—then being in the United States, and territories of the United

States, united and holden together in one organized body by certain doctrines of faith and morals, and by certain rules of government and discipline.

That the general government of the Methodist Episcopal Church was vested in one general body, called the General Conference, and in certain subordinate bodies, called Annual Conferences, and in bishops, and travelling ministers and preachers; and the great object of the said Methodist Episcopal Church was the diffusion of the principles of the Saviour of mankind—good morals, pure religion, piety, and holiness, among the people of the world. And the complainants allege, that the constitution, organization, form of government, and rules of discipline, as well as the articles of religion and doctrines of faith of the Methodist Episcopal Church, were of general knowledge and notoriety; nevertheless, for the more particular information of the court, they refer to a printed volume, which will be produced on the trial of the cause, entitled "The Doctrines and Discipline of the Methodist Episcopal Church." And the complainants allege, that differences and disagreements having sprung up in the church, between what was called by the church the northern and southern members, upon the administration of the church government, with reference to the ownership of slaves by the ministers of the church, of such a character, and attended with such consequences, as threatened fearfully to impair the usefulness of the church, as well as permanently to disturb its harmony; and became, and was with the members of the church, a question of very grave and serious importance, whether a separation ought not to take place by some geographical boundary, with necessary and proper exceptions, so as that the Methodist Episcopal Church should thereafter constitute two separate and distinct Methodist Episcopal Churches. And thereupon the complainants allege, that at a General Conference of the church, holden according to usage and discipline at New York, on the —— day of ——, 1844, the following resolutions were duly and legally, and by a majority of over three-fourths of the entire body, passed; which resolutions are herewith copied, and prayed to be taken as part of this bill, which are in the words and figures, to wit:

"Resolved, by the delegates of the several Annual Conferences, in General Conference assembled: 1. That, should the Annual Conferences in the slaveholding States find it necessary to unite in a distinct ecclesiastical connexion, the following rule shall be observed with regard to the northern boundary of such connexion: All the societies, stations, and conferences, adhering to the Church in the South, by a vote of a majority of the members of said societies, stations, and conferences, shall remain under the unmolested pastoral care of the Southern Church; and the ministers of the Methodist Episcopal Church shall in no wise attempt to organize churches or societies within the limits of the Church South, nor shall they attempt to exercise any pastoral oversight therein; it being understood that the ministry of the South reciprocally observe the same rule in relation to sta-

tions, societies, and conferences, adhering, by vote of a majority, to the Methodist Episcopal Church; provided, also, that this rule shall apply only to societies, stations, and conferences, bordering on the line of division, and not to interior charges, which shall, in all cases, be left to the care of that church within whose territory they are situated.

"2. That ministers, local and travelling, of every grade and office, in the Methodist Episcopal Church, may, as they prefer, remain in that church, or, without blame, attach themselves to the Church South.

"3. Resolved, by the delegates of all the Annual Conferences, in General Conference assembled, That we recommend to all the Annual Conferences, at their first approaching sessions, to authorize a change of the Sixth Restrictive Article, so that the first clause shall read thus: 'They shall not appropriate the produce of the Book Concern, nor of the Chartered Fund, to any other purpose other than for the benefit of the travelling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined upon by a vote of two-thirds of the members of the General Conference.'

"4. That whenever the Annual Conferences, by a vote of three-fourths of all their members voting on the third resolution, shall have concurred in the recommendation to alter the Sixth Restrictive Article, the agents at New York and Cincinnati shall, and they are hereby authorized and directed to, deliver over to any authorized agent or appointee of the Church South—should one be organized—all notes and book accounts against the ministers, church members, or citizens, within its boundaries, with authority to collect the same for the sole use of the Southern Church, and that said agents also convey to aforesaid agent or appointee of the South all the real estate, and assign to him all the property, including presses, stock, and all right and interest connected with the printing establishments at Charleston, Richmond, and Nashville, which now belong to the Methodist Episcopal Church.

"5. That when the Annual Conferences shall have approved the aforesaid change in the Sixth Restrictive Article, there shall be transferred to the above agent for the Southern Church so much of the capital and produce of the Methodist Book Concern as will, with the notes, book accounts, presses, &c., mentioned in the last resolution, bear the same proportion to the whole property of said concern, that the travelling preachers in the Southern Church shall bear to all the travelling ministers of the Methodist Episcopal Church; the division to be made on the basis of the number of travelling preachers in the forthcoming minutes.

"6. That the above transfer shall be in the form of annual payments of $25,000 per annum, and specifically in stock of the Book Concern, and in southern notes and accounts due the establishment, and accruing after the first transfer mentioned above; and until the payments are made, the Southern Church shall share in all the nett profits of the Book Concern, in the proportion that the amount due them, or in arrears, bears to all the property of the concern.

"7. That Nathan Bangs, George Peck, and James B. Finley, be, and they are hereby, appointed commissioners, to act in concert with the same number of commissioners appointed by the southern organization—should one be formed—to estimate the amount which will fall due to the South by the preceding rule, and to have full powers to carry into effect the whole arrangements proposed with regard to the division of property, should the separation take place. And if by any means a vacancy occurs in this Board of Commissioners, the Book Committee at New York shall fill said vacancy.

"8. That whenever agents of the Southern Church are clothed with legal authority or corporate power to act in the premises, the agents at New York are hereby authorized and directed to act in concert with said southern agents, so as to give the provisions of these resolutions a legally binding force.

"9. That all the property of the Methodist Episcopal Church, in meeting-houses, parsonages, colleges, schools, conference funds, cemeteries, and of every kind, within the limits of the southern organization, shall be for ever free from any claim set up on the part of the Methodist Episcopal Church, so far as this resolution can be of force in the premises.

"10. That the Church so formed in the South shall have a common right to use all the copy-rights in possession of the Book Concerns at New York and Cincinnati at the time of the settlement by the commissioners.

"11. That the Book Agents at New York be directed to make such compensation to the Conferences South, for their dividend from the chartered fund, as the commissioners above provided for shall agree upon.

"12. That the Bishops be respectfully requested to lay that part of this report requiring the action of the Annual Conferences, before them as soon as possible, beginning with the New York Conference."

And the complainants allege, that the said General Conference had full, competent, and lawful power and authority to pass and adopt the said resolutions, and each and all of them, and that the same thereby became and were of binding force and validity.

And the complainants further allege, that after the adoption of the foregoing resolutions such proceedings were had in the several Annual Conferences of the Methodist Episcopal Church in the slaveholding States, that a full convention thereof, by delegates, elected on the basis of the resolutions of the General Conference of 1844, assembled at Louisville, in Kentucky, on the first day of May, 1845; and the said convention, after full and mature consideration, adopted the following resolutions, which they pray may be taken as part of this bill:

"Be it resolved, by the delegates of the several Annual Conferences of the Methodist Episcopal Church in the slaveholding States, in general convention assembled, That it is right, expedient, and necessary to erect the Annual Conferences represented in this convention into a distinct ecclesiastical connexion, separate from the jurisdiction of the

General Conference of the Methodist Episcopal Church as at present constituted; and accordingly we, the delegates of said Annual Conferences, acting under the provisional Plan of Separation, adopted by the General Conference of 1844, do solemnly declare the jurisdiction hitherto exercised over said Annual Conferences by the General Conference of the Methodist Episcopal Church entirely dissolved, and that said Annual Conferences shall be, and they hereby are, constituted a separate ecclesiastical connexion, under the provisional Plan of Separation aforesaid, and based upon the discipline of the Methodist Episcopal Church, comprehending the doctrines and entire moral, ecclesiastical, and economical rules and regulations of said discipline, except only in so far as verbal alterations may be necessary to a distinct organization, and to be known by the style and title of the Methodist Episcopal Church South.

"Resolved, That we cannot abandon or compromise the principles of action upon which we proceed to a separate organization in the South; nevertheless, cherishing a sincere desire to maintain christian union and fraternal intercourse with the Church North, we shall always be ready, kindly and respectfully, to entertain, and duly and carefully consider, any proposition or plan having for its object the union of the two great bodies in the North and South, whether such proposed union be jurisdictional or connexional."

And the complainants further allege, that afterward, namely, on the second day of July, anno Domini 1845, a council of the Bishops of the Methodist Episcopal Church met at New York, which council was composed of the Northern Bishops alone, and then and there unanimously adopted the following resolutions, which they pray may be taken as part of this bill:

"Resolved, That the plan reported by the select committee of nine at the last General Conference, and adopted by that body, in regard to a distinct ecclesiastical connexion—should such a course be found necessary by the Annual Conferences in the slaveholding States—is regarded by us as of binding obligation in the premises, so far as our administration is concerned.

"Resolved, That, in order to ascertain fairly the desire and purpose of those societies bordering on the line of division in regard to their adherence to the Church North or South, due notice should be given of the time, place, and object of the meeting for the above purpose, at which a chairman and secretary should be appointed, and the sense of all the members present be ascertained, and the same be forwarded to the bishop who may preside at the ensuing Annual Conferences, or forward to said presiding bishop a written request to be recognised and have a preacher sent them, with the names of the majority appended thereto."

And the complainants allege that, by and in virtue of the foregoing proceedings, the Methodist Episcopal Church in the United States, as it had existed before the year 1844, became, and was, divided into two distinct Methodist Episcopal Churches, with distinct and independent powers and authority, composed of the several Annual Conferences,

charges, stations, and societies, lying or being situated north and south of the aforedescribed line of division.

And the complainants further allege, that, by force of the foregoing proceedings, that the Methodist Episcopal Church South became and was entitled to its proportion of all the property, real and personal, and all funds and effects—said property and funds of the Methodist Episcopal Church had been obtained and collected by voluntary contribution, in which contribution the members of the Church South contributed the largest portion of the same—which, up to the time of the separation, had belonged to the Methodist Episcopal Church in the United States, and that the Methodist Episcopal Church South was, and is, so entitled, without any change or alteration of the sixth Restrictive article above mentioned; but the complainants allege that, if the change in the sixth Restrictive article were necessary in order that the Church South should obtain an equitable division of the church property, a majority of three-fourths of all the members of the several Annual Conferences which voted directly on the question, in view of a division of the property, has been obtained.

And the complainants further say, that before and on the said day of , 1844, the Methodist Episcopal Church in the United States owned and possessed large amounts of property in various parts of the United States, in addition to the meeting-houses, parsonages, and other estates of that description, and that said property, real and personal, was in the hands of the agents and trustees, being in some instances corporations, but more frequently in private and unincorporated individuals; that, among other descriptions and claims of property, there belonged to the said Church what was denominated the "Methodist Book Concern," in the city of Cincinnati, consisting of houses, lots, machinery, printing presses, bookbindery, books, paper, debts, cash, and other articles of property, amounting in all to about the sum of two hundred thousand dollars, the whole of which lands and goods, property and effects, so situated, are now in the possession of the defendants, Swormstedt and Power.

And the complainants further say, that after the separation of the Methodist Episcopal Church into two distinct churches, by virtue of the resolutions of the General Conference of 1844, and the action of the Annual Conferences in the South, as herein before set forth, the agents of the Book Concern at New York, in pursuance of the provisions and terms of said resolutions, paid to the several Annual Conferences of the Methodist Episcopal Church South their proportion of profits and income of the Book Concern, as fixed and set apart by the said agents for the year 1845. But the complainants further allege, that since the year 1845 the said agents and said defendants have utterly refused to pay to the said Annual Conferences South, and to complainants, for and on behalf of them, their said just proportions of the profits and income of the said Book Concern, and still continue to withhold the same, to the manifest loss and injury of the said Church South, and in plain violation of their rights. And the complainants further say, that the

General Conference of the Church South, holden at Petersburg, Virginia, on the day of May, 1846, in pursuance of, and in compliance with, the aforesaid resolutions of the General Conference of 1844, proceeded to appoint the complainants, Bascom and Green, together with S. A. Latta, commissioners to meet the commissioners appointed by the General Conference of the Methodist Episcopal Church of 1844, and settle and receive from said commissioners the just proportion of the property and effects due the South, according to the Plan of Separation, which resolutions are in the words and figures following, to wit, and prayed to be taken as part of this bill:

"1. Resolved, by the delegates of the several Annual Conferences of the Methodist Episcopal Church South in General Conference assembled, That three commissioners be appointed, in accordance with the Plan of Separation adopted by the General Conference of the Methodist Episcopal Church in 1844, to act in concert with the commissioners appointed by the said Methodist Episcopal Church, to estimate the amount due to the South according to the aforesaid Plan of Separation, and to adjust and settle all matters pertaining to the division of the church property and funds, as provided for in the said Plan of Separation, with full powers to carry into effect the whole arrangement with regard to said division.

"2. Resolved, That the Commissioners of the Methodist Episcopal Church South shall forthwith notify the Commissioners and Book Agents of the Methodist Episcopal Church of their appointment as aforesaid, and of their readiness to adjust and settle the matters aforesaid; and, should no settlement be effected before the session of the General Conference of the Methodist Episcopal Church, in 1848, said Commissioners shall have power and authority, for and in behalf of this Conference, to attend the General Conference of the Methodist Episcopal Church, to settle and adjust all questions, involving property or funds, which may be pending between the Methodist Episcopal Church and the Methodist Episcopal Church South.

"3. Resolved, That should the Commissioners, appointed by this General Conference, after proper effort, fail to effect a settlement as above, then, and in that case, they shall be, and they are hereby, authorized to take such measures as may best secure the just and equitable claims of the Methodist Episcopal Church South to the property and funds aforesaid."

And thereupon, and under the authority of said last recited resolutions, the said Bascom, Green, and Latta were duly appointed such commissioners, and their said appointment duly certified and made known to the commissioners appointed by the said resolutions of the General Conference of 1844. And the said complainants further say, that the said Bascom, Green, and Latta, immediately after their said appointments as such commissioners as aforesaid, applied to Nathan Bangs, George Peck, and James B. Finley, commissioners appointed by the seventh resolution of the said General Conference of 1844, and the said book agents at New York, to act in concert with the commis-

sioners appointed upon the part of the South, to settle and divide the property belonging to the Methodist Episcopal Church, between the Church North and the Church South, and requested them to proceed to the duty assigned them, by dividing the property, as contemplated and directed by said resolution; and that they, the complainants, Bascom and Green, together with the said Latta, have repeatedly called on them since for this purpose; but the defendants have wholly failed and refused to act in the premises, and complainants have not been enabled, although they have used all honorable and fair means, to get a settlement with them of this unpleasant question; nor have they been enabled to induce the agents of the Methodist Episcopal Church, nor the Church itself, nor the commissioners, to pay to the Church South its proportionate share of said property and funds, as provided by said plan of separation.

The complainants further show, that since the appointment of the said Samuel A. Latta, as one of the commissioners, by the General Conference of the Methodist Episcopal Church South, say on the day of February, 1849, he, the said Latta, hath resigned his office as such commissioner; and that they, the said Bascom and Green, by virtue of, and under the authority of, the said General Conference of the Methodist Episcopal Church South, have appointed their co-complainant, Parsons, to fill the vacancy of said Latta.

And the complainants allege, that they are members of the Methodist Episcopal Church South; that they are preachers—Kelly and Allen are supernumerary, and Tevis superannuated, preachers—and belong to the travelling connexion of said Church South, and that as such they have a personal interest in the real estate, personal property, debts, and funds, now holden by the Methodist Episcopal Church, through the said defendants, as agents and trustees, appointed by the General Conference of the Methodist Episcopal Church. Complainants further allege, that there are about fifteen hundred preachers belonging to the travelling connexion of the Methodist Episcopal Church South, each of whom has a direct and personal interest in the same right with your complainants to said property, as above described, situated and held as aforesaid; that the great number of persons interested, as aforesaid, in the recovery sought by this bill, makes it inconvenient, indeed impossible, to bring them all before the court as complainants.

Complainants further allege, that the defendants are members of the Methodist Episcopal Church; are preachers belonging to the travelling connexion of that Church, and that each of them has a personal interest in the said property and funds as above described; in addition to which the said defendants, Swormstedt and Power, have the custody and control, by law, and by virtue of their appointment, as agents of the Methodist Book Concern, by the General Conference of the Methodist Episcopal Church, of all the said property and effects of said Book Concern above described; that, in addition to these defendants, there are nearly thirty-eight hundred preachers belonging to the travelling connexion of the Methodist Episcopal Church, each of whom has

an interest in the said property in the same right, so that it will be impossible, in view of attaining a just decision of this controversy, to make all those interested parties to this bill.

Complainants further alleged, that the entire membership of the Methodist Episcopal Church South is about four hundred and sixty thousand five hundred and fifty-three, and that the entire membership of the Methodist Episcopal Church is about six hundred and thirty-nine thousand and sixty-six, so that it will be at once seen by the honorable court, that it is utterly impracticable and impossible to bring all the parties in interest before the court in this bill, either as complainants or as defendants.

And the complainants further say, that they bring this bill by authority, and under the direction of the General and the Annual Conferences of the Methodist Episcopal Church South, and for the benefit and in behalf of the said Church South, and the said General Conference, and for the benefit and in behalf of all the Annual Conferences in the said Church South, and for themselves, and all the preachers in the travelling connexion, and all other ministers and members of said Church, and all others having an interest in the same right in its funds and property.

To the end, therefore, and forasmuch as complainants, and those they represent, are greatly aggrieved and injured by the oppressive course pursued by the Methodist Episcopal Church, in their refusal to divide the said property according to equity, and in pursuance of the plan of separation, so as aforesaid set forth; and that complainants, so as aforesaid, are without relief, except in a court of equity, they pray your honorable court, that they may be allowed to prosecute this bill in their own behalf, and in behalf of all those bodies and persons so interested, belonging to the Church South, as above set forth; and that said defendants, Leroy Swormstedt, John H. Power, and James B. Finley, by suitable process of subpœna, &c., directed, &c., commanding, &c., be made defendants to this bill, for themselves and those they represent as agents, trustees, and commissioners, and that, upon oath, they make full, true, and perfect answers to each allegation in this bill contained, setting forth their own rights and the rights of those under whom they now act, and have heretofore acted, to the end that this honorable court may be enabled to ascertain the rights of all the parties, and decree accordingly; and that, as to the other defendants, George Peck and Nathan Bangs, the complainants pray that process may issue, to make them parties to this bill, if they should come within the jurisdiction of this court.

And the complainants particularly pray, that defendants, Swormstedt and Power, may be required to produce a full, particular, and just account of all the real estate, personal estate, goods, debts, money, and effects of every sort or kind, now held by them, or either of them, as agent or agents, trustees, or members of the Methodist Episcopal Church in the United States; and that the said Bangs, Peck, and Finley, be required to answer, upon oath, whether they were not ap-

pointed by the General Conference of the Methodist Episcopal Church of 1844, held at New York, commissioners, to act upon the part of the North, with the commissioners to be appointed on the part of the South, in case of a separate and distinct ecclesiastical connexion being formed by the South, in the division of the church property, so called; and whether the complainants, Bascom, Green, and Parsons, and the said Samuel A. Latta, as commissioners, did not call upon them for a settlement, and to arrange the distribution of the church property according to the plan of separation; and if they did not refuse so to act in the settlement and division of said church property; and that they, all the said defendants, also be made to answer, all and singular, the allegations and matters in this bill set forth, as fully as though the same were repeated to them in the form of interrogatories, and they especially interrogated thereto.

And upon the hearing of the cause, complainants pray that an account of all the property, real, personal, and mixed, and moneys, be ordered and taken, and the amount thereby ascertained, and that it be declared what complainants are entitled to, under the said plan of separation or otherwise. And upon the final hearing of the cause, may it please your honorable court to decree, that the above named land and other property, money, and effects, be divided between the Methodist Episcopal Church and the Methodist Episcopal Church South, according to the said plan of separation, or as to your honorable court shall seem just and equitable, under all the circumstances of this case; and that the share or portion belonging to said Methodist Episcopal Church South may be decreed to belong to the said Church South, and be handed over, or conveyed, or transferred to the said complainants, as the agents of the said church, to and for the use and benefit of said Church South.

And, finally, complainants pray that the court will grant to complainants all such other different and further relief as they are, according to equity, entitled to, or as your honors shall deem proper and due to the Church South; and, as in duty bound, they will ever pray, &c.

SPENCER & CORWINE,
JOHN S. BRIEN, and
HENRY STANBERRY,
Solicitors for complainants.

And thereupon, on the filing of said bill, a certain writ of subpœna was issued from the clerk's office of said court in this cause, in the words and figures following, to wit:

UNITED STATES OF AMERICA,
District of Ohio, ss:

To the marshal of said district, greeting:

We command you to summon Leroy Swormstedt, John H. Power, and James B. Finley, citizens of and residents in the State of Ohio,

if they be found in your bailiwick, to be and appear before the judges of the circuit court of the United States, for the district of Ohio aforesaid, at Columbus, on the third Monday in the month of July, instant, to answer a bill in chancery exhibited against them and others by Henry B. Bascom, Charles B. Parsons, and John Tevis, citizens of and residents in the State of Kentucky; Alexander P. Green and John Kelly, citizens of and residents in the State of Tennessee, and James W. Allen, a citizen of and a resident in the State of Alabama, and have then and there this writ.

Witness the honorable Roger B. Taney, chief justice of the [SEAL.] United States, this 12th day of July, 1849, and in the 74th year of the independence of the United States of America.

Attest: WM. MINER, *Clerk*.

Which said writ was duly returned to said court by the said marshal, with his proceedings thereon endorsed, in the words and figures following, to wit:

July 14, 1849. I have served this subpœna upon the defendants, Leroy Swormstedt, John H. Power, and James B. Finley, by leaving a copy at their residence, with a free white person, member of the family.

G. A. JONES,
U. S. Marshal, O. D.
Per ISAAC VANANSDAL, *Deputy*.

And afterwards, to wit, at the time appointed by law for holding the July term of said court, in the year of our Lord one thousand eight hundred and forty-nine, came the marshal of said district, and, in conformity with the requirements of an order to that effect from the honorable John McLean, one of the judges of said court, adjourned said court to the fifteenth day of October then next ensuing; whereupon, by reason of such adjournment, this cause was continued. And afterwards, to wit, at said October session of said court, held pursuant to said adjournment, this cause was continued. And afterwards, to wit, at the November term of said court, in the year last aforesaid, this cause was continued. And afterwards, to wit, on the twentieth day of February, in the year of our Lord one thousand eight hundred and fifty, came the defendants, Swormstedt and Power, and filed in the clerk's office of said court their joint and several answer to the said bill of complaint; which said answer is in the words and figures following, to wit:

United States circuit court, district of Ohio—in chancery.

The joint and several answer of Leroy Swormstedt and John H. Power, citizens of the State of Ohio, to the bill of complaint of Henry B. Bascom, Charles B. Parsons, and John Tevis, citizens of the State of Kentucky; Alexander L. P. Greene and John Kel-

pointed by the General Conference of the Methodist Episcopal Church of 1844, held at New York, commissioners, to act upon the part of the North, with the commissioners to be appointed on the part of the South, in case of a separate and distinct ecclesiastical connexion being formed by the South, in the division of the church property, so called; and whether the complainants, Bascom, Green, and Parsons, and the said Samuel A. Latta, as commissioners, did not call upon them for a settlement, and to arrange the distribution of the church property according to the plan of separation; and if they did not refuse so to act in the settlement and division of said church property; and that they, all the said defendants, also be made to answer, all and singular, the allegations and matters in this bill set forth, as fully as though the same were repeated to them in the form of interrogatories, and they especially interrogated thereto.

And upon the hearing of the cause, complainants pray that an account of all the property, real, personal, and mixed, and moneys, be ordered and taken, and the amount thereby ascertained, and that it be declared what complainants are entitled to, under the said plan of separation or otherwise. And upon the final hearing of the cause, may it please your honorable court to decree, that the above named land and other property, money, and effects, be divided between the Methodist Episcopal Church and the Methodist Episcopal Church South, according to the said plan of separation, or as to your honorable court shall seem just and equitable, under all the circumstances of this case; and that the share or portion belonging to said Methodist Episcopal Church South may be decreed to belong to the said Church South, and be handed over, or conveyed, or transferred to the said complainants, as the agents of the said church, to and for the use and benefit of said Church South.

And, finally, complainants pray that the court will grant to complainants all such other different and further relief as they are, according to equity, entitled to, or as your honors shall deem proper and due to the Church South; and, as in duty bound, they will ever pray, &c.

SPENCER & CORWINE,
JOHN S. BRIEN, and
HENRY STANBERRY,
Solicitors for complainants.

And thereupon, on the filing of said bill, a certain writ of subpœna was issued from the clerk's office of said court in this cause, in the words and figures following, to wit:

UNITED STATES OF AMERICA,
District of Ohio, ss:

To the marshal of said district, greeting:

We command you to summon Leroy Swormstedt, John H. Power, and James B. Finley, citizens of and residents in the State of Ohio,

if they be found in your bailiwick, to be and appear before the judges of the circuit court of the United States, for the district of Ohio aforesaid, at Columbus, on the third Monday in the month of July, instant, to answer a bill in chancery exhibited against them and others by Henry B. Bascom, Charles B. Parsons, and John Tevis, citizens of and residents in the State of Kentucky; Alexander P. Green and John Kelly, citizens of and residents in the State of Tennessee, and James W. Allen, a citizen of and a resident in the State of Alabama, and have then and there this writ.

Witness the honorable Roger B. Taney, chief justice of the [SEAL.] United States, this 12th day of July, 1849, and in the 74th year of the independence of the United States of America.

Attest: WM. MINER, *Clerk.*

Which said writ was duly returned to said court by the said marshal, with his proceedings thereon endorsed, in the words and figures following, to wit:

July 14, 1849. I have served this subpœna upon the defendants, Leroy Swormstedt, John H. Power, and James B. Finley, by leaving a copy at their residence, with a free white person, member of the family.

G. A. JONES,
U. S. Marshal, O. D.
Per ISAAC VANANSDAL, *Deputy.*

And afterwards, to wit, at the time appointed by law for holding the July term of said court, in the year of our Lord one thousand eight hundred and forty-nine, came the marshal of said district, and, in conformity with the requirements of an order to that effect from the honorable John McLean, one of the judges of said court, adjourned said court to the fifteenth day of October then next ensuing; whereupon, by reason of such adjournment, this cause was continued. And afterwards, to wit, at said October session of said court, held pursuant to said adjournment, this cause was continued. And afterwards, to wit, at the November term of said court, in the year last aforesaid, this cause was continued. And afterwards, to wit, on the twentieth day of February, in the year of our Lord one thousand eight hundred and fifty, came the defendants, Swormstedt and Power, and filed in the clerk's office of said court their joint and several answer to the said bill of complaint; which said answer is in the words and figures following, to wit:

United States circuit court, district of Ohio—in chancery.

The joint and several answer of Leroy Swormstedt and John H. Power, citizens of the State of Ohio, to the bill of complaint of Henry B. Bascom, Charles B. Parsons, and John Tevis, citizens of the State of Kentucky; Alexander L. P. Greene and John Kel-

ley, citizens of the State of Tennessee, and James Allen, a citizen of the State of Alabama.

These defendants, saving and reserving to themselves, now and at all times hereafter, all and all manner of advantage of exception to the manifold errors, and uncertainties, and insufficiencies, and other imperfections in the plaintiffs' bill of complaint, for answer thereunto, or unto so much thereof as they are advised is necessary for them to answer, they, answering, say:

That they admit, that before and on the eighth day of June, 1844, there existed, and, as these defendants say, there still exists, in the United States of America a voluntary association, known as "The Methodist Episcopal Church;" and although not incorporated in one body by any legal enactment, is a duly organized evangelical Church. The said association, as these defendants aver, is a duly and regularly organized body, exercising and discharging powers and duties analogous to legal corporations, and in all respects controlled and protected in its functions, powers, and duties by courts of equity, under the law relating to charitable uses. And these defendants admit the number of bishops in said Church on said day is truly stated in said bill; but these defendants do not know that the number of travelling preachers, ministers, and members belonging to said Church is therein accurately set forth. And the defendants further admit, that said Church is united and holden together by certain doctrines of faith and morals, and by certain rules of government and discipline.

These defendants further answering say, that, exercised within the restrictions and constitutional powers contained in its book of discipline, the supreme government of the Methodist Episcopal Church, comprising the authority to make rules and regulations for the Church, limited by such restrictions and constitutional powers, was and is vested in a delegated body, called the general conference; and that there are within the system and polity of the Church annual conferences, which in some, but not in all respects, are bodies subordinate to the general conference; also quarterly conferences, bishops, presiding elders, and travelling ministers, in whom and which, respectively, are vested the powers and authority specified in the book of discipline; and beyond the powers of government above stated, these defendants deny the allegation in the plaintiffs' bill, that the general government of said Church was or is vested as is therein set forth.

And these defendants admit that the plaintiffs have partially stated the great object of the said Methodist Episcopal Church; nevertheless, more fully to set forth the design of the same, the defendants say that it comprehends the exercise of its ecclesiastical government and discipline, especially involving the system of itinerancy of its bishops and ministers; the general promulgation of the doctrines of the Gospel; the due administration of Scriptural ordinances and the holy sacraments; the promotion of works of piety and benevolence; the revival and spread of Scriptural holiness, and the conversion of the world to the Christian faith and life.

The defendants admit that the constitution, organization, form of government, and rules of discipline, as well as the articles of religion and doctrines of faith of the Methodist Episcopal Church, were, and are, of general knowledge and notoriety, and are contained in a printed volume, which the defendants suppose to be the same as the plaintiffs have placed on file in this court; and, for greater certainty, the defendants crave leave to produce and refer to a copy of the book, entitled "The Doctrines and Discipline of the Methodist Episcopal Church," and to the several editions thereof, published by the Methodist Book Concern of the city of New York; and to a certain other printed book, entitled "Emory's History of the Discipline," by which the organization and polity of said Church, and such changes as have been made therein, will fully appear, but which, if here related, would extend this answer to an inconvenient and unnecessary length.

And these defendants, in respect to the differences and disagreements alleged by the plaintiffs to have sprung up between what were called the Northern and Southern members, upon the administration of the church government with reference to the ownership of slaves by the ministry of the Church, answer and say, that according to the best of their knowledge, information, and belief, no such differences or disagreements had sprung up in the Church between the Northern and Southern members prior to the session of the General Conference, held in the city of New York in May, 1844, which were attended with, or seriously threatening, the consequences alleged by the plaintiffs.

And these defendants, according to their best knowledge, information, and belief, also deny that, prior to that session of the General Conference, it ever became, or was, a question of grave or serious importance with the members of the Church, or with any except a few of them, whether a separation ought not to take place, by geographical boundaries or otherwise, so that the Methodist Episcopal Church should thereafter constitute two separate and distinct Methodist Churches; or that it was "thereupon," as is erroneously alleged by said plaintiffs, that the resolutions, which they denominate the "plan of separation," and which are set forth in their bill, were passed at the General Conference of 1844, held in the city of New York; and these defendants say that then, and always hitherto, the greater portion of the Church have not thought there was any sufficient cause for the separation and division of said Church.

And these defendants, further answering with respect to such differences and disagreements, say, that during and subsequent to the session of the General Conference of 1844, those differences and disagreements principally grew out of the voluntary connexion of a bishop with slavery, and out of the proceedings of that body, with reference thereto, hereafter referred to; that the rules of the Book of Discipline, and the uniform action of the General Conference, have always been adverse to human slavery, it being regarded a great evil; and prior to

the session of the General Conference, in 1844, the whole Church, by common consent, united in proper efforts for its mitigation and final removal; that the ministers have never been allowed to hold slaves, except in cases which, under the laws of the slaveholding States, were deemed to be cases of necessity; that this Church never made, nor has its Book of Discipline ever contained, any law respecting the holding of slaves by a bishop of the Church; that the General Conference always refused to elect a slaveholder to that office; that at the session of the General Conference in 1844, held in the city of New York, it became known that the Rev. James O. Andrew, one of the bishops of the Methodist Episcopal Church, had, since his election to that office, become the owner of slaves—of one by bequest, of another by inheritance, and of others by his intermarriage with a lady in the State of Georgia, who held a number of slaves in her own right, which, by the laws of that State, became the property of her husband; that, as will appear by its printed Journal, (pp. 65–83,) such proceedings were had by that General Conference, upon the admitted facts, contained in a statement in writing made by Bishop Andrew, and which, in due form, was brought before the conference by one of its standing committees, called the Committee on Episcopacy, whose duty it was to inquire into the conduct and administration of the bishops, and to make report to the conference, as that the following preamble and resolution were duly and legally adopted by that conference, to wit:

"Whereas the discipline of our church forbids the doing any thing calculated to destroy our Itinerant General Superintendency; and whereas Bishop Andrew has become connected with slavery by marriage and otherwise; and this act having drawn after it circumstances which, in the estimation of the General Conference, will greatly embarrass the exercise of his office as an Itinerant General Superintendent, if not in some places entirely prevent it; therefore,

"Resolved, That it is the sense of this General Conference that he desist from the exercise of his office so long as this impediment remains."

And these defendants, upon their information and belief, further say, that the adoption of this resolution gave offence to a minority of the members of that General Conference, and who were delegates from annual conferences in the slaveholding States; and it principally, if not wholly, induced these delegates to present a formal protest against such action of the General Conference, which was admitted to record on its journal, (pp. 186–210;) to all which these defendants ask leave to refer, together with the report in reference thereto of the committee by the General Conference for that purpose appointed; and which also induced such delegations from the annual conferences in the slaveholding States to present to said General Conference the declaration already referred to, which was read and referred to a committe of nine, whose report thereon is the so-called "Plan of Separation" herein mentioned; which declaration is also recorded on page 199 of the printed journal of the General Conference, and to which also the de-

fendants crave leave to refer; and which resolution in the case of Bishop Andrew further induced such delegates, although without the authority of the General Conference, and in no wise sanctioned by any action of that body, immediately after the adjournment of such General Conference of 1844, and before the contingencies mentioned in the so-called "Plan of Separation," and necessary to give effect to it, had happened, and before such delegates had departed from the city of New York, to address a circular to their constituents and to the ministers of the church in the slaveholding States, therein expressing their own opinions in favor of a separation from the jurisdiction of the General Conference, and advising the annual conferences within these States to elect from their own bodies severally delegates to a convention to be held by them at Louisville, in Kentucky, in the May following, to consider and determine the matter; all which finally led these annual conferences, or portions of them, at that convention, to withdraw and separate from the Methodist Episcopal Church, to renounce and declare themselves wholly absolved from its jurisdiction, government, and authority, and to institute a new and distinct ecclesiastical organization, separate from and independent of the General Conference of the Methodist Episcopal Church, under the name of "The Methodist Episcopal Church South," which is the same organization mentioned in said bill of complaint; and the plaintiffs, and all whom they profess to represent, are adherents thereof, and are no longer attached to the Methodist Episcopal Church. And these defendants believe and submit, that these proceedings were in no part authorized by the rules of government, or by the constitutional law of the Methodist Episcopal Church, as contained in its Book of Discipline, but were in plain hostility to its requirements.

These defendants, further answering, insist and submit, that the said resolution of the General Conference, in the case of Bishop Andrew, instead of moving to a secession, called for due submission and respect from all the delegates to that conference, and from all the ministers and members of that church; and the defendants, upon their belief, say, that the same and all proceedings of that body leading thereto were regular, constitutional, and valid; that the voluntary connexion of Bishop Andrew with slavery was justly considered, by a majority of said General Conference, and by most of the ministers and members of the church, as "improper conduct;" and that each bishop is by the law of the Book of Discipline amenable to the General Conference, who are thereby declared to "have power to expel him for improper conduct, if they see necessary;" and that the resolution and proceedings in the case of Bishop Andrew were in due accordance with the good government of the church.

And these defendants, further answering, admit, that the resolutions, set forth by the plaintiffs in their bill, at a General Conference of the church holden according to usage and discipline at New York, were passed by a majority of over three-fourths the entire body, on the eighth day of June, 1844; although, as these defendants aver, said resolutions,

in respect to their operation and effect, were provisional and contingent, were occasioned by and based upon the said declaration of the Southern delegates, and were only intended to meet the emergency predicted therein, should the same afterward arise; and that said resolutions were connected with and preceded by the statement and preble, embodied in the report of the said committee of nine, appointed by the General Conference to consider and report upon such declaration, which report was adopted by the conference as will appear by its printed journal (pp. 130–137;) and which statement and preamble are to be taken in connexion with said resolutions as a part of said report thus adopted, and to which the defendants crave leave to refer as a part of this answer. But these defendants are advised by counsel that the said resolutions, embodied in such report of the committee of nine, called the "Plan of Separation," were not duly or legally passed; and that the General Conference of 1844 had no valid power or authority to pass or adopt said resolutions, called the "Plan of Separation," or any or either of them, except that portion thereof comprising the recommendation to the annual conferences to change the sixth restrictive rule; and these defendants are also advised by counsel that the last named resolutions, when adopted, were null and void, without any validity or binding force, except in the light of recommendation merely; and these defendants therefore humbly submit these questions to this honorable court.

And, to show the extent of the constitutional power of the said General Conference in this respect, these defendants state, that from the election and ordination of the first bishops of the church, in 1784, the General Conference was composed of all the preachers in the connexion who had travelled four years from the time that they were received by the annual conference; but in the General Conference of 1808, on the recommendation of a majority of the annual conferences, severally acting in their primary capacities, it was proposed to do away with such general assembly of ministers, and to organize a delegate General Conference, to consist of a delegated number, to be elected by the several annual conferences according to a fixed ratio of representation, which proposition was agreed to in said General Convention of 1808, upon the condition of adopting certain articles to restrict the powers of future delegated General Conferences; whereupon a constitution was adopted for the government of the General Conference, embracing six restrictive articles, which was accordingly established, defining who shall compose the said General Conference, and what powers and regulations belong to it. And the whole body of preachers then assembled in general convention, by such constitution, adopted the present plan of a delegated General Conference, investing it with the powers of the whole body of preachers, as a General Conference, but under the express exceptions and limitations of the said restrictive articles; which constitution and restrictive articles the defendants pray may be taken as a part of this answer, as if here set forth; and for the contents of the same, and for the particulars of these facts and allegations, these

defendants ask leave to produce and refer to the said constitution and restrictive articles, contained in the Book of Discipline for 1808, pp. 14, 15; also to the subsequent editions of the "Discipline," also to "Emory's history of the Discipline," pp. 111–113; also to "Bangs's History of the Methodist Episcopal Church," vol. ii, pp. 225–234.

That such constitution and restrictive rules, thus adopted, containing a general grant of all powers to make rules and regulations for the government of the church, under the restraints and within the limitations therein embodied, constitute the paramount law of the church, and have always been so considered, as well by the delegated General Conferences, whose legislative action they were intended to regulate, as by the annual conferences, and by the bishops, ministers, and members of the church, whose rights and privileges were thereby secured; nor has the delegated General Conference ever had or claimed any power to alter or amend these restrictive articles, except in the manner therein prescribed, in conjunction with the constitutional majority and action of the annual conferences; nor have any alterations thereof ever been made, except in conformity with the provisions contained therein for such alterations; and never without such constitutional majority, and the assent of the several annual conferences voting in their primary capacity.

That this constitution, embodying these restrictive articles, is—and during the session of the General Conference of 1844, and at the time of the passage of the resolutions, was—the fundamental law of the Church, as will be seen by the Book of Discipline, (pp. 21–23, edition of 1844;) that the General Conference is the representative body above mentioned, with powers limited, as aforesaid, to make rules and regulations for the government of the Church. And these defendants, as advised by counsel, believe and submit, that these restrictive articles limit and restrain the powers of the General Conference to the enactment of rules and regulations for the Church, to carry on, throughout the whole work, the economy and purposes of its government, as already settled; prohibiting any change in any part or rule of said government, so as to do away Episcopacy, or destroy the plan of the itinerant general superintendency of the Church; that they prohibit the exercise of any power by the General Conference to do away the privileges of the ministers, preachers, or members, of trial by a committee, or before the society, or of an appeal; and, also, they prohibit the General Conference, without the consent of three-fourths the whole body of ministers, to be expressed by their votes in their respective annual conferences, from appropriating the produce of the Book Concern, or Chartered Fund, to any purpose than the benefit of those preachers which belong to the travelling connexion of the Church, and to their wives, and widows, and children. And the defendants, therefore, submit to this honorable court whether the said resolutions, denominated the "Plan of Separation," are not, in each and every one of these particulars, inconsistent with, and subversive of, said constitutional

law of the Church, and in contravention of the limitation contained in the aforesaid restrictive articles.

And these defendants, further answering, submit, as further advised by counsel, that, had even the so-called "Plan of Separation" been constitutional or valid, it merely provided a prospective "plan," which, without the happening of certain future conditions, or on the failure of which conditions, or some of them, by its express terms, never could have, and, as defendants say, never was intended to have, any force or validity. And these defendants expressly aver, that these conditions have not happened; and they therefore insist and submit, that the said so-called "Plan of Separation" has always been inoperative, has never had any force and validity, and is absolutely null and void.

And these defendants, further answering, say, that the so-called "Plan of Separation," whether constitutional or not, was never ratified by the annual conferences therein named, and therefore gave the Southern Annual Conferences no authority to act in the premises; and hence, as the defendants submit and insist, the Southern Annual Conferences have, as to the Church South, in all respects, acted on their own responsibility, without any authority from the General Conference of 1844.

And the defendants, further answering, say, that they admit the resolutions set forth by the plaintiffs were adopted at a convention of delegates, from annual conferences in the slaveholding States, assembled at Louisville, in Kentucky, on the first day of May, 1845; but these defendants deny that the delegates composing that convention were elected on the basis, or according to the authority of, said provisional "Plan of Separation," so called, or of any resolutions of the General Conference of 1844; and especially do these defendants deny that said Louisville Convention, in adopting their resolutions, or in any proceedings had therein, acted under the provisional "Plan of Separation" adopted by that General Conference, as is stated in one of said resolutions; but, on the contrary thereof, these defendants say, that said provisional "plan" did not confer any authority upon that convention to adopt their said resolutions—to organize a new ecclesiastical connexion therein mentioned—or to dismember the Methodist Episcopal Church; and, further, that the said convention was not convened by, or in pursuance of, any constitutional authority of that Church, or of its General Conference; and, also, that the proceedings leading to, and the transactions of, that said Louisville Convention, and which resulted in the organization of the Methodist Episcopal Church South, were occasioned and had by such of the ministers and members of the annual conferences in the slaveholding States as have attached themselves to the said Church South, upon their own responsibility, and by their own unauthorized acts, while they repudiated the authority of the General Conference of the Methodist Episcopal Church—they refusing, and declaring their refusal, to submit to such authority; and that by revolutionary measures, tending to the dismemberment of the Methodist Episcopal Church, and by insubordinate proceedings, unwarranted

by said "Plan of Separation," so called, or by any authority of the Methodist Episcopal Church, they did institute the said "Methodist Episcopal Church South," as an independent ecclesiastical organization, separate from the jurisdiction of the Methodist Episcopal Church, and did solemnly declare such jurisdiction over them was entirely at an end. And, for some of the particulars of these facts and allegations, these defendants ask leave to refer to the aforesaid declaration, presented on the 5th day of June, 1844, to the General Conference of the Methodist Episcopal Church, at its session in New York, signed by fifty-one of the delegates to that conference from the slaveholding States, and who are now attached to said Church South; which declaration is recorded in the journal of said General Conference, page 109; also to the "Protest in the Case of Bishop Andrew," herein before referred to, presented to said General Conference on said 6th day of June, signed by such delegates and others now attached to the said Church South; also to the address to their constituents, and the resolutions and proceedings of such delegates, at their meeting, in the city of New York, on the 11th day of June, 1844; also to the correspondence between Bishop Soule and Bishop Andrew, involving the request of the former to the latter that he should resume his Episcopal functions, and his acceptance of that request, notwithstanding the aforesaid resolution of the General Conference of 1844 in his case; also to the proceedings of said Louisville Convention; and also to the proceedings of the body, assuming to be a General Conference, composed of delegates from the annual conferences attached to said Church South, held at Petersburg, in Virginia, in May, 1846. Wherefore these defendants insist and submit, that the "Methodist Episcopal Church South" exists as a separate ecclesiastical community solely by the result, and in virtue, of the acts and doings of the individual bishops, ministers, and members attached to such Church South, proceeding in the premises upon their own responsibility; and that such bishops, ministers, and members, have voluntarily withdrawn themselves from the Methodist Episcopal Church, and have renounced all their rights and privileges in her communion and under her government. And these defendants deny that the annual conferences represented in said Louisville Convention were, as is erroneously stated in the first of the resolutions of the convention set forth by the plaintiffs, constituted a separate ecclesiastical connexion under the provisional so-called "Plan of Separation," aforesaid.

And these defendants, further answering, admit, that at the time and place in that behalf mentioned by the plaintiffs, a council of bishops of the Methodist Episcopal Church, called, by the plaintiffs, the "Northern Bishops," met, and unanimously adopted the resolutions set forth in the said bill; but these defendants say that the same were, as well by the express terms thereof, as by the extent of any authority possessed by such council, or bishops, limited in their application and effect to the administration of such bishops; which administration, at that time, was interrupted, resisted, and prevented, in the slaveholding States, by such portion of the revolutionary measures above alluded to

as had then occurred, and by kindred measures of some of the then adherents of said Church South. Moreover, these defendants further state, that said bishops were amenable to the General Conference, who have power to inquire into their administration, and expel them for "improper conduct," if they find it necessary; that the said provisional "plan" was an act of the General Conference, to whom said bishops were amenable; and that said General Conference had not then declared the said provisional "plan" null and void. But these defendants, with respect to these resolutions of the bishops, submit, that they can have no influence or effect whatever upon the question of the alleged division of the Church; nor can any effect or virtue be attached to their acts and resolutions tending to divide or dismember the Church, or to warrant, in any sense, the allegation of the plaintiffs, that by or in virtue of such resolutions—in conjunction with such other proceedings as are alleged by the plaintiffs, or otherwise—the Methodist Episcopal Church ever became divided into two distinct Methodist Episcopal churches.

And these defendants, further answering, deny that, by or in virtue of the proceedings alleged in the said bill of complaint, or of any part thereof, or otherwise however, "The Methodist Episcopal Church," as it existed before the year 1844, or as it at any time existed, was lawfully divided into two distinct Methodist Episcopal churches, in the manner alleged in said bill, or in any other manner whatever. And these defendants submit, that the separation and voluntary withdrawal from the said Church of a portion of her bishops, ministers, and members, as herein mentioned, was an unauthorized separation from the Church.

And these defendants, further answering, say, that the so-called "Plan of Separation" was wholly prospective and contingent in its provisions; and that the General Conference adopted the said provisional "plan" in view of, and based the same entirely upon, the declaration of the delegates of the annual conferences in the slaveholding States, herein before mentioned, which alleged that certain acts of the General Conference, therein referred to, especially the act in relation to Bishop Andrew, must produce a state of things in the South which would render a continuance of the jurisdiction of the General Conference over those conferences inconsistent with the success of the ministry in the slaveholding States; and therefore the General Conference, by the said "plan," made provision for the adjustment of relations between the Methodist Episcopal Church, and her separating ministers and members, to meet the emergency which might arise, in the event of the contingency thus predicted in such declaration, when the contingency might occur, by the act and deed of the annual conferences in the slaveholding States, from the necessity of the case. And these defendants are informed and believe, and therefore state, that, independent of the aforesaid proceedings of the southern delegates, which contributed to such separation, the acts of the General Conference alone, and which are thus complained of, did not produce a state of

things in the South which rendered a continuance of the jurisdiction aforesaid "inconsistent with the success of the ministry in the slaveholding States;" nor was a separation of the ministers and members now composing the Southern Church occasioned solely because the annual conferences in the slaveholding States found it necessary to unite in a distinct ecclesiastical connexion; but the way for such separation was prepared, and the same was superinduced and consummated, by the revolutionary measures herein before referred to, and which were begun at the seat, and nearly at the time, of the session of the said General Conference, before the predicted state of things was, or could possibly be, produced by the acts of the General Conference.

Also, that the General Conference, by such provisional "plan," proposed in the happening of the contingencies therein mentioned, regulations to be mutually observed, by the Methodist Episcopal Church on the one part, and by the proposed new Church, and by the ministers and members thereof, on the other part, with respect to the "northern boundary" of such new Church, which required the northern boundary should be fixed at the northern extremities of those "societies, stations, and conferences," a majority of whose members should, of their own free will and accord, vote to adhere to the said Southern Church; the due observance of which regulations, as these defendants insist and submit, was a fundamental condition of said provisional "Plan." And these defendants, as they are informed and believe, state that, in this respect, said provisional "Plan" has been violated by the said Church South, and by said separating bishops, ministers, and members now attached thereunto, more particularly in the instances following: That Bishops Andrew and Soule, since the said Southern organization, have stationed preachers in Accomac and Northampton counties, in Virginia, within the district of the Philadelphia Annual Conference, and have sent and stationed preachers at several societies and stations within the bounds of the Baltimore Conference, which, as well as the Philadelphia Conference, always belonged to the Methodist Episcopal Church; namely, upon the Northern Neck, and to the Warrenton circuit, and to Harrisonburg and Leesburg; that the Kanawha district was within the bounds of the Ohio Conference, and was duly supplied with preachers and a presiding elder; but the constituted authorities of the Kentucky Annual Conference have supplied the district with preachers who were in connexion with that conference, and even with another presiding elder, so that the district of Kanawha now has a full ministry from each conference at the same time; in Parkersburg, particularly, which is not a border but an interior station in that district, the preacher who was there stationed by the Ohio Conference was compelled to leave his charge, by threats of personal violence, and by preparations to execute those threats. But the defendants more particularly refer to the unwarrantable interposition of the bishops, preachers, and conferences of the Church South, in the stations and charges at Cincinnati, within the Ohio Annual Conference. Although no one of the societies which existed in that city in the summer of 1844, by a vote of a majority

of its members, adhered to the Church South, yet Bishops Andrew and Soule, or one of them, did proceed to organize "churches and societies" within said city; namely, the society worshipping at the meeting-house called "Soule Chapel," and the society worshipping at the meeting-house called "Andrew Chapel;" and they "attempted to exercise," and did actually exercise, "pastoral oversight" over the same, by receiving the said societies as members of the Kentucky Annual Conference, and by stationing preachers in and over said societies; namely, the Rev. Mr. Sehon, and the Rev. Mr. Latta, and the Rev. Mr. Parsons, and the Rev. Mr. Corwin, and the Rev. G. W. Maley, and the Rev. H. H. Kavanaugh, who are all preachers in full connexion with the Church South, and, as these defendants believe, members of the Kentucky Annual Conference. And, contrary to the whole polity of the Methodist Church, and the express recommendation of the Book of Discipline—for which the defendants refer to the twelfth section of the sixth chapter of the third part—and in especial contravention to the spirit and letter of said resolutions, in the so-called "Plan"—although the General Conference of the Methodist Episcopal Church has, for many years, maintained, at Cincinnati, the newspaper called the "Western Christian Advocate," which is recognised in the discipline as a General Conference paper—the Kentucky Annual Conference, now connected with said Church South, with the countenance and assistance of other ministers and conferences of the said Church South, and with the approbation of one or more of the Bishops of the said Church South—as these defendants believe, and therefore allege—have established their conference newspaper, called the "Methodist Expositor," at said Cincinnati, from the office of which, located in said city, it is published and circulated; all which will more fully appear by the tenth number of the second volume of said Methodist Expositor, which these defendants will produce, as this honorable court may direct, and to which they crave leave to refer. And the aforesaid Church South, as the defendants have heard, and believe, and state, acting as the General Conference of the Church South, sanctioned those doings of said bishops, and also authorized the Virginia Annual Conference, which is claimed as a member of the Church South, to send ministers into the territory of the Baltimore Annual Conference, which is still attached to the Methodist Episcopal Church. And so the said Methodist Episcopal Church South, and the bishops, ministers, and members attached thereto, as thus stated, have violated and disregarded said co-called "Plan."

And these defendants expressly aver and charge, that the said Maley, Kavanaugh, and Latta, together with one William Burke, are all now residents of the said city of Cincinnati, and all are citizens of the State of Ohio, and all are ministers and members of the said Methodist Episcopal Church South, of the travelling connexion; and all are beneficiaries, for whose use—among others—the plaintiffs profess to bring this suit; and if any thing shall be recovered or obtained by the plaintiffs,

under the decree in this case, all will be entitled to their proportionate share of the same.

Also, the General Conference of the Methodist Episcopal Church, at its session held in Pittsburg, in Pennsylvania, in May, 1848, did find and declare that the fundamental conditions of said proposed "Plan" had severally failed; that the failure of either of them separately was sufficient to render the said so-called "Plan" null and void; and that the practical workings of said so-called "Plan" were incompatible with the great constitutional provisions contained in said Book of Discipline; and they, the said General Conference, did also find and declare the whole and every part of said provisional "Plan," so called, to be null and void. The defendants, as advised by counsel, believe, and state, and submit, that these steps of the General Conference were fully within their powers and rightful authority. For the particulars hereof these defendants desire leave to refer to the proceedings of, and the reports adopted by, said General Conference of 1848; especially to its printed journal, (pp. 73–85, 129, 130,) and to the final report of the Committee on the State of the Church, adopted by said conference, and appended to its journal, (pp. 154–164;) and the same and the said General Conference then further declared, that the so-called "Plan of Separation" in no event authorized a division or reorganization of the Methodist Episcopal Church into two separate churches, and passed a solemn resolution, that there exists no power in the General Conference of the Methodist Episcopal Church to pass any act which, either directly or indirectly, effectuates, authorizes, or sanctions a division of said Church.

Wherefore, these defendants further insist and submit, that, instead of the Methodist Episcopal Church being divided into two distinct churches, under and in pursuance of said so-called "Plan of Separation," as is alleged by the plaintiffs, all those bishops, ministers, and members who have attached themselves, by their own act and deed, to the Methodist Episcopal Church South, including the plaintiffs, and all those represented in or by them in said bill of complaint, have voluntarily withdrawn from the Methodist Episcopal Church, and separated themselves from its privileges and government; and have thereby renounced and forfeited all claim, either in law or equity, to any portion of the funds and property in question in this cause.

And these defendants, further answering, deny, that, by force of the proceedings alleged by the plaintiffs, or otherwise, the Methodist Episcopal Church South became, was, or is entitled, at law or equity, to any proportion of all or any of the property, real or personal, or of all or any of the funds or effects, which, up to the time of the separation, or at any other time, belonged to the Methodist Episcopal Church, in the United States or elsewhere; and especially do these defendants deny, that the Methodist Episcopal Church South was, or is, so entitled to any produce of the Book Concern, or Chartered Fund, or to any property or funds pertaining thereto, without any change or alteration of the sixth restrictive article above mentioned; or that, as erroneously

alleged by the plaintiffs, the vote of a majority of three-fourths of all the members of the several Annual Conferences, which voted directly on the question in view of a division of the property, has been obtained in favor of any alteration of that article.

And these defendants, with respect to the allegation of the plaintiffs, that the property and funds of the Methodist Episcopal Church had been obtained and collected by voluntary contribution, in which contribution the members of the Church South contributed the largest portion of the same, deny that, so far as the allegation has reference to "The Methodist Book Concern" in the city of Cincinnati, its property, funds, or appendages, the same, or a greater portion thereof, have been chiefly obtained by voluntary contribution; the defendants say, that they were obtained in the manner hereafter stated; but, in so far as they were obtained by voluntary contribution, and in respect to any portion thereof contributed from the South, these defendants state, that all such contributions were made and given for the very object for which said Book Concern was designed; that, on occasion of the contributions referred to, many others largely contributed, who have since left the church, yet that any such separatists have never had, nor presumed to make, any claim for their share of such contributions; nor on that account, as these defendants submit, can they, or the plaintiffs, or those whom they represent, have or make any claim to reach the portion of donations they have severally made by such voluntary gifts and contributions.

These defendants, further answering, admit that, on the 8th day of June, 1844, with the qualification and exception hereinafter stated, relative to the Chartered Fund, and the Book Concerns in New York and Cincinnati, the Methodist Episcopal Church owned and possessed large amounts of property, in various parts of the United States, not, however, as the plaintiffs say, in addition to, but principally consisting of, meeting houses, parsonages, and other estates of that description. But these defendants deny that, among other or any description of property, there ever belonged to said church, in the aggregate, or to its lay membership, what was, and still is, denominated "The Methodist Book Concern," in the city of Cincinnati. And these defendants say, that said Book Concern, with all houses, lots, printing presses, bookbinderies, books, paper, debts, cash, and other articles of property pertaining thereunto, is now, and always has been, beneficially the property of the preachers belonging to the travelling connexion of the Methodist Episcopal Church; but if any such preachers do not, during life, continue in such travelling connexion, and in the communion, and subject to the goverment of the Methodist Episcopal Church, they forfeit, for themselves and their families, all their ownership in, or claim to and upon, said Book Concern and the produce thereof. And further, these defendants admit, that the property of said Book Concern, consisting as aforesaid, amounts, in value, at the present time, to about the sum stated in schedule A, hereunto annexed, which contains a general statement of all its assets and property to it pertaining,

and of the value thereof, on the 1st day of April, 1849, as accurately as the same could then or can now be conveniently ascertained, and which schedule is here referred to, and made part of this answer. And the defendants, further answering, state, that the end and object of said Book Concern, at Cincinnati, is carried out, under and by virtue of a certain statute of the State of Ohio, passed on the 12th day of March, 1839, entitled "An act to incorporate the Methodist Book Concern, at Cincinnati," which was, and still is, a valid law of the said State, and of which the following is a copy, to wit:

"AN ACT to incorporate the Methodist Book Concern, at Cincinnati.

"§ 1. Be it enacted by the General Assembly of the State of Ohio, that John F. Wright and Leroy Swormstedt, agents of the Methodist Book Concern, their successor or successors, are hereby created a body politic and corporate, by the name of 'The Methodist Book Concern,' and as such shall have succession for thirty years, and by that name may contract and be contracted with, sue and be sued—may have a common seal, and the same alter and renew at pleasure.

"§ 2. Said Methodist Book Concern shall be capable in law of holding property—real, personal, or mixed—either by purchase, gift, grant, devise, or legacy, and to sell and convey the same; but the value of the real estate so held shall not exceed one hundred thousand dollars; provided that all such property shall be held in trust only for the purposes of the Book Concern; provided that such corporation shall not be authorized or permitted to issue any certificates of loan, or, by any device, to issue any circulating medium, to be used as money; provided, further, that this act shall not be, at any time, construed as conferring banking or any other powers, except those expressly granted by it.

"§ 3. The General Conference of the Methodist Episcopal Church in the United States shall elect and appoint a successor or successors of said John F. Wright and Leroy Swormstedt, at any regular meeting thereof; and should an agent so appointed die, resign, or be removed from said agency, in the interval of the General Conference, such vacancy may be filled in such way as the General Conference shall prescribe; and the said John F. Wright and Leroy Swormstedt, and their successor or successors in office, shall hold their agency and conduct the business of the Book Concern in conformity with the rules and regulations of the said General Conference.

"§ 4. The real estate heretofore conveyed to John F. Wright and Leroy Swormstedt, as agents of the Methodist Book Concern, shall be considered as part of the real estate to be held by said corporation.

"§ 5. Any future legislature shall have power to modify or repeal this act; provided such modification or repeal shall not affect the title to any real estate or personal property acquired or conveyed under its provisions."

And the defendants state, that John F. Wright, one of the corporate

members named in said act, hath ceased to be a member of said corporation, and that the defendant—John H. Power—hath been lawfully appointed the other member of said corporation; so that said corporation is now composed of the said Swormstedt and Power. And these defendants deny, that the said property, effects, or lands, or any of them, are now owned or holden, or are in the possession of these defendants, as individuals, either in their own right, or as trustees; but they aver, that the said corporation is both the legal owner and possessor of the same, in its corporate capacity, and upon the trusts, and for the purposes and objects which said Book Concern was designed to effect, and which are more minutely specified below.

And these defendants, further answering, state, that the said Book Concern was originally commenced and instituted by travelling ministers of the Methodist Episcopal Church, on their own capital, with the great design, in the first place, of circulating religious knowledge; by whom it was surrendered to the ownership of all the travelling preachers, in their General Convention, there called the General Conference; and it was agreed, from time to time, that the profits arising from the sale of books should be applied to pious and charitable objects, but principally to the support of travelling ministers and their families, until, in the General Conference of 1796, it was determined that the said moneys should be in future applied wholly to the relief of travelling preachers, including of them such as were superannuated, and the widows and orphans of such as were deceased. One of the decisions of the General Conference of that year was, that "the produce of the sale of our books, after the book debts are paid, and a sufficient capital is provided for carrying on the business, shall be regularly paid into the Chartered Fund;" and the object of said fund was, for "the relief of distressed travelling preachers, for the families of travelling preachers, and for the superannuated and worn-out preachers, and the widows and orphans of preachers;" that, from that time to the General Conference of 1808, no other appropriation whatever was made of the proceeds of said Book Concern, but for the benefit of the travelling preachers of the Methodist Episcopal Church, and their families; and that until, and in the General Conference of that year, as is herein before stated, all the travelling preachers in full connexion, who had travelled four years, belonging to the church, had a seat in, and were members of, the General Conference; at which time, on the occasion of adopting a delegated General Conference, with constitutional powers, limited by certain restrictions, as above detailed, the said General Conference of travelling preachers established a constitution as above stated, specifying who should compose, and defining the regulations and powers belonging to, such delegated General Conference, and therein and thereby providing, that the General Conference should have full powers to make rules and regulations for the Church, under the six specified limitations and restrictions commonly called the restrictive articles, which are fully set out in the Book of Discipline; by means whereof the said General Convention of travelling preachers, as defendants submit they

lawfully might do, committed the management of said Book Concern to such delegated General Conference, as agents, or trustees, or superintendents, under and subject to the limitation and restriction contained in the sixth of said restrictive articles, which the defendants crave leave to read and refer to as a part of this answer.

And the defendants pray, that the said constitution and said restrictive articles, especially the above recited sixth restrictive article, may be taken as a part of this answer; and that they may have leave to read and refer to said constitution and restrictive articles, and to the proceedings of said General Convention of travelling preachers, as a part, also, of this answer.

And these defendants, further answering, say, tha tthe recommendation of the General Conference of 1844, contained in the aforesaid resolution, embodied in the so-called "Plan of Separation," to all the Annual Conferences, to authorize a change of the sixth restrictive article, so that the first clause might read as in said resolution is specified, has not been concurred in by a majority of the members of said Annual Conferences, and that such recommendation has entirely failed; that such recommendation was duly laid before all the Annual Conferences, but on canvassing the votes, at the General Conference of 1848, which body had full power for determining the number of votes, by the Annual Conferences, for altering said restrictive rules, it was ascertained and declared, that the number of votes necessary to authorize such alteration had not been obtained, nor have the Annual Conferences, at any time, authorized such change in said article.

And these defendants, for the proceedings of said General Conference, and the particulars in respect to such votes, crave leave to refer to the Journal of that Conference, (p. 56,) and to the report of the Committee on the State of the Church, being document L, recorded in the Journal of Reports of said General Conference.

Wherefore, these defendants, as touching the allegations and claims in the plaintiffs' bill, with regard to the property denominated the Book Concern, and the Chartered Fund, and the moneys, effects, and credits pertaining thereunto, insist and submit that the Methodist Church South is not entitled, at law or in equity, to have a division of such property made, as is claimed in said bill; nor is such Church South thus entitled to any share or portion thereof; nor are any ministers, preachers, or members, attached to such Church South, thus entitled to any portion of the same; and that they, being no longer "travelling preachers," belonging to the Methodist Episcopal Church, could not be so entitled, without a constitutional change in the said Sixth Restrictive Article, to authorize such division.

And the defendants, further answering, say, that, by the provisions of the Book of Discipline of the Methodist Episcopal Church, "the principal establishment of the Book Concern" is situated in the city of New York, and that the business of circulating books, by the Methodist Book Concern in the western States, is chiefly conducted by the aforesaid corporation in Cincinnati, called the Methodist Book Concern; that, by the above regulations and provisions, it is their duty,

and the course of business, for the said corporation, to place at the disposal of the agents of the Methodist Book Concern in the city of New York, all its earnings, after supplying the necessary capital, and defraying the expenses of its own business, to be added to the profits of the concern in New York, and by those agents alone appropriated to the said purposes and objects. These particulars will more fully appear, and are more fully defined, in the sixth chapter of the third part of said Book of Discipline, to which these defendants crave leave to refer as fully as if here at length recited and set forth. The defendants, therefore, insist and submit, that inasmuch as the Methodist Book Concern at Cincinnati is a lawful corporation, whose functions, after its income has been received, are solely confined to accounting with "the principal establishment" in New York, and in paying its profits to the New York agents, without the power of distribution among the beneficiaries of the General Conference, whether the said plaintiffs can sustain their claim against said corporation, and especially against these defendants, under the statements of the present bill.

And these defendants, further answering, deny, that, at the time alleged by the plaintiffs, or at any other time, the agents of the Book Concern in New York, in pursuance of the provisions and terms of the said resolutions, called by the plaintiffs the "Plan of Separation," paid to the several Annual Conferences of the Methodist Episcopal Church South their proportion of the profits and income of the Book Concern, as fixed and set apart, by said agents, for the year 1845. And in respect to said allegation, that they are informed and believe, and therefore aver, that the portion of profits and income alluded by the plaintiffs, which said agents paid to such Annual Conferences, had accrued and had been apportioned to such southern Conferences previous to the organization of the Methodist Episcopal Church South, and that such payment was made without any reference to the said so-called "Plan of Separation." And the defendants are informed, and therefore admit, that since the year 1845 the said agents had refused to pay to the Annual Conferences South, who have separated from the Methodist Episcopal Church as aforesaid, any thing further from the profits or income of the Book Concern; and these defendants insist, as in justice and right, and according to their duty, said agents ought to have done; and these defendants deny that such Annual Conferences South are legally entitled to any portion or share of such profits or income, or that the withholding thereof from them by said agents is any violation of their rights.

And these defendants, further answering, admit that the body assuming to act as the General Conference of the Church South, holden at Petersburg, in Virginia, in May, 1846, proceeded to appoint the commissioners, as stated in said bill, and for the purposes therein stated; and the defendants also admit, that the body aforesaid adopted the resolutions specified in the plaintiffs' bill; but these defendants submit and insist that said resolutions are entirely nugatory in their effect upon the property and funds therein referred to, and the matters pertaining to the same.

And the defendants admit that said commissioners have made the applications to these defendants, and are advised that the same were made to the said James B. Finley, and the requests as is in said bill stated; and that these defendants have refused to act in the premises; and they say they have thus refused for the reasons and on the grounds above set forth.

And these defendants also admit that the plaintiffs have not been enabled to induce the said book agents, nor the commissioners named by the plaintiffs, nor the Methodist Episcopal Church, to pay to the Church South any portion or share of said property or funds, except as aforesaid; but the defendants deny that said Church South is lawfully entitled to any proportionate or other share of said property or funds, as provided by said "Plan of Separation," so called, or otherwise.

And the defendants admit that the plaintiffs are members of the Methodist Episcopal Church South, and that they are preachers belonging to the travelling connexion of said Church South; but these defendants deny that, as such, they, or either of them, have any personal interest in the real estate, personal property, debts, or funds above mentioned, or in any property, debts, or funds, if any, now holden by the Methodist Episcopal Church, through these defendants, or any of them, as agents or trustees, appointed by the General Conference of the Methodist Episcopal Church, or otherwise.

And these defendants, further answering, say that they have not sufficient knowledge or information either to deny or admit whether the allegation of the plaintiffs' bill, respecting the number of preachers belonging to the travelling connexion of the Methodist Episcopal Church South, and the number in the membership of that Church, are true or not; and the plaintiffs are therefore left to make such proof thereof as they may be able and advised to do. These defendants, however, according to the best of their belief, say that such numbers have been overstated by the plaintiffs.

And these defendants, further answering, deny that the preachers belonging to the travelling connexion of the Methodist Episcopal Church South, or any or either of them, have a direct and personal, or other legal or equitable, interest in the same right with the plaintiffs, or otherwise, in said property, situated and held as herein before stated, or in any part or portion thereof, to any amount whatever. And the defendants utterly deny that the lay membership of the Church South, whether in number stated by the plaintiffs, or otherwise, are parties in interest in the subject-matter of the plaintiffs' bill, or have, or ever had, any pecuniary interest in said funds or property.

And these defendants further answering admit, that these defendants are members of the Methodist Episcopal Church, and are preachers belonging to the travelling connexion of that church, and that each of them has a personal interest in said property and funds. But these defendants state, that such interest is the same only as is held in common by all the preachers in the travelling connexion of the Methodist

Episcopal Church. And these defendants deny that they, or either of them, in their own right, and as individuals, have the custody or control, by law, of the property and effects of said Methodist Book Concern; but they state that the title to the same is held by the said corporation, and that the defendants have no other property, interest, and control thereof, save as above stated, except as officers and members of the said corporation. These defendants, therefore, are advised by counsel, and therefore insist, that no such case is made by the plaintiffs' bill, as makes it necessary for these defendants to set forth any account or inventory of the property of the said corporation; but in this they submit their rights and duties to the judgment of this honorable court, and offer to comply with any directions which it may give.

And these defendants, further answering say, they have no certain knowledge, but, according to their information and belief, they deny the plaintiffs have brought their said bill by the authority and under the direction of all the Annual Conferences, and travelling preachers, and members in said Church South. And these defendants claim and insist upon the same benefit and advantage of their objection to the right of said plaintiffs to bring said bill, as if the same were interposed by plea or demurrer, or any other proper manner.

And these defendants submit, that the plaintiffs are not entitled to any relief or decree prayed for in said bill of complaint, or to any other relief or decree against these defendants, touching the matters in the said bill set forth.

And these defendants further answering say, as they are advised by counsel and believe, and therefore submit, that the claim of the Methodist Episcopal Church South, to any proportional part of the funds and property in question in this suit, is not clear, but, on the contrary, is at least doubtful in law; and that these defendants cannot safely pay or deliver over the same to them, or their agents, unless their rights thereunto are established and sanctioned by a court of law. They, therefore, pray that, in any event, they may be protected and properly indemnified in the premises, that their rights and duties may be recognised and established, and all proper costs, counsel fees, commission, and expenses of every kind, may be allowed them under the decree of this honorable court.

All which matters and things these defendants are ready to prove as this honorable court may direct; and they humbly pray to be here dismissed, with their reasonable costs and charges in this behalf most wrongfully sustained.

Dated at Cincinnati, February 18th, 1850.

LEROY SWORMSTEDT,
JOHN H. POWER.

DISTRICT OF OHIO, *Hamilton county, ss.*

On this 18th day of February, 1850, came before me, in their proper persons, Leroy Swormstedt and John H. Power, and being by me

solemnly sworn, upon their respective oaths, say, that they heard the foregoing answer read to them, and have subscribed the same, and that the facts therein stated are true, except as to such are stated upon belief and information; and, as to all such matters, they believe the same to be true.

Sworn and subscribed before me, this 18th day of February, 1850.

LEROY SWORMSTEDT,
JOHN H. POWER,
DAV. T. SNELLBAKER,
Justice of the peace.

And afterwards, to wit, on the twentieth day of February, in the year of our Lord one thousand eight hundred and fifty, came the defendant, James B. Finley, by his solicitors, and filed in the clerk's office of said court his answer to said bill of complaint, which said answer is in the words and figures following, to wit:

CIRCUIT COURT OF THE UNITED STATES,
Seventh circuit, district of Ohio.

In chancery.

The several answer of James B. Finley, a citizen of the State of Ohio, to the bill of complaint of Henry B. Bascom, Charles B. Parsons, and John Tevis, citizens of the State of Kentucky; Alexander L. P. Green and John Kelly, who are citizens of the State of Tennessee; and James W. Allen, who is a citizen of the State of Alabama.

This defendant, now and at all times hereafter, saving and reserving to himself all and all manner of benefit of exception to the manifold errors, uncertainties, insufficiencies, and other imperfections contained in the plaintiffs' bill of complaint, for answer unto so much thereof as he is advised it is necessary for him to answer, he answereth and saith:

That he is a member of the Methodist Episcopal Church, and a preacher belonging to the travelling connexion, and has the same personal interest in the property and funds of said church as is held in common by all the other preachers in that connexion, and depending upon the same conditions and contingencies; but he saith that said property and funds are not in his possession or subject to his administration or control, and that his only interest therein, as he is advised by counsel, consists in some share in the proceeds thereof, as the same may be distributed and appropriated, from time to time, through the action of the General Conference of that church. And, further answering, this defendant saith, that he admits, by the terms of the resolution of the General Conference of the Methodist Episcopal Church, held at New York in May, 1844, which are set forth in said bill, he, together with Nathan Bangs and George Peck, were appointed commissioners, for the purpose in said resolutions specified, in the event of their becoming operative; but he saith that he, and said Bangs and Peck, so

far as he has been informed, have received no other appointment or authority as commissioners or otherwise to act upon the part of said General Conference or said church with any commissioners on the part of the South in relation to any division, distribution, or settlement of the property herein referred to, or of any so-called church property. And this defendant further saith, that inasmuch as said resolutions never acquired any force or validity by reason of the non-concurrence of a sufficient number of votes of the annual conferences, as is more fully showed by the answer of the defendants, Swormstedt and Power, filed in their case, and to which this defendant craves leave to refer for this purpose, but have been declared null and void, in the manner therein stated, this defendant admits he hath refused to act as one of such commissioners, under the above resolutions, in any settlement or division of any property, and he believes the other commissioners have likewise refused for the same reasons.

And this defendant submits, that no case is made in said bill entitling the plaintiffs to any decree against this defendant; and, having no possession or control over the property or effects which the plaintiffs are seeking, he is advised by counsel, and believes, he hath sufficiently answered all which it is necessary for him to answer; and he therefore prays to be hence dismissed, with his reasonable costs in this behalf wrongfully sustained.

Dated at Cincinnati, January 1, 1850.

J. B. FINLEY.

DISTRICT OF OHIO, *Hamilton county, ss.*

On this second day of January, 1850, came before me, in his proper person, James B. Finley, and being by me solemnly sworn, saith, upon his oath, that he has heard read to him the foregoing answer by him subscribed, and the same is true, except as to matters stated upon his belief and information, and, as to such matters, he believes them to be true.

J. B. FINLEY.

Sworn and subscribed before me, this second day of January, 1850.

D. T. SNELLBAKER,
Justice of the peace.

And afterwards, to wit, at the time appointed by law for holding the July term of said court, in the year of our Lord one thousand eight hundred and fifty, came the marshal of said district, and in conformity with the requirements of an order to that effect from the honorable John McLean, one of the judges of said court, adjourned said court to the thirtieth day of September then next ensuing; whereupon, by reason of such adjournment, this cause was continued. And afterwards, to wit, at said September session of said court, held pursuant to such adjournment, this cause was continued. And afterwards, to wit, at the November term of said court, in the year last aforesaid, this cause was continued. And afterwards, to wit, at the April term of said court,

in the year of our Lord one thousand eight hundred and fifty-one, this cause was continued. And afterwards, to wit, at the October term of said court, in the year last aforesaid, this cause was continued. And afterwards, to wit, on the 24th day of June, being at the April term of said court, continued, in the year of our Lord one thousand eight hundred and fifty-two, came the complainants, by their solicitors, and filed in said court their replication to the said answers of the said defendants, which said replication is in the words and figures following, to wit:

WILLIAM A. SMITH et al.
vs.
LEROY SWORMSTEDT et al.
} In chancery.

And now said complainants come and say, as replication to the said answers of said Leroy Swormstedt, John H. Power, and James B. Finley, that all the matters and things in their said bill contained, each and every allegation thereof, are true; and the matters and things in said answers contained, so far as they deny and traverse the facts and allegations of said bill or state new facts, are untrue.

H. STANBERY,
JNO. S. BRIEN,
SMITH, CORWINE, & HOLT,
Solicitors for complainants.

And afterwards, in the said April term, continued of said court, the following order was made by said court in this cause, to wit: "It being made to appear to the court that Henry B. Bascom, one of the plaintiffs, has departed this life, and that William A. Smith, a citizen of Virginia, has been duly appointed in his stead one of the commissioners of the Church South, it is on motion ordered, that said Smith be, and he is hereby made, a party plaintiff. It is also, on motion of plaintiffs, and by consent of defendants, ordered, that the Methodist Book Concern of Cincinnati, in its corporate capacity, be, and it is hereby made, a party defendant; and thereupon the counsel for said defendants waive process as to said corporation, and do now enter an appearance therefor. And afterwards, in the term of said court last mentioned, this cause came on to be heard on the bill of complaint, answers, and replication, and exhibits, and was argued by counsel, but the court not being fully advised what decree to render in the premises, take this cause under advisement until the next term, to which time the same is continued." And afterwards, to wit, on the twenty-first day of October, being at the October term of said court, in the year eighteen hundred and fifty-two, the following final decree was made and entered in this cause, viz: This cause having been argued and submitted to the court at the last term, and held under advisement, and the court being now fully advised of and concerning the premises, do order, adjudge, and decree, that the bill of complaint of the said complainants be, and the same is, hereby dismissed. And it is further adjudged and decreed, that the complainants pay the costs of this suit,

taxed to $205 98, within ninety days, or in default thereof, that execution issue for the same as upon judgments at law. And afterwards, to wit, on the 25th day of October, in the year and at the term of said court last mentioned, the following order was made in said cause, to wit: "On motion of Smith, Corwine, and Holt, solicitors for complainants, it is ordered, that said complainants have leave to appeal said cause, upon entering into bond with sufficient security, to be approved by the clerk of this court, in the sum of one thousand dollars, conditioned for the payment of all costs which may be adjudged against them according to law; and by consent it is agreed, that the value of the property in controversy between the parties to this cause exceeds the sum of two thousand dollars, exclusive of costs." And afterwards, to wit, on the 27th day of November, in the year eighteen hundred and fifty-two, the said complainants filed in the clerk's office of said court a certain appeal bond, in the words and figures following, to wit:

Know all men by these presents, that we, William A. Smith, Alexander L. P. Green, Charles B. Parsons, John Kelly, James W. Allen, John Tevis, and J. S. Chenoweth, are held and firmly bound unto Leroy Swormstedt, John H. Power, James B. Finley, and the Methodist Book Concern of Cincinnati, in the sum of one thousand dollars; to the payment of which, well and truly to be made, we do hereby, jointly and severally, bind ourselves, our heirs, executors, and administrators; sealed with our seals, and dated this day of November, A. D. 1852. The condition of this obligation is such, that whereas William A. Smith, Alexander L. P. Green, Charles B. Parsons, John Kelly, James W. Allen, and John Tevis, have taken an appeal from a certain decree rendered in favor of the said Leroy Swormstedt, John H. Power, James B. Finley, and the Methodist Book Concern of Cincinnati, in the circuit court of the United States, within and for the seventh circuit and district of Ohio, in a suit wherein William A. Smith, Alexander L. P. Green, Charles B. Parsons, John Kelly, James W. Allen, and John Tevis, were complainants, and Leroy Swormstedt, John H. Power, James Finley, and the Methodist Book concern of Cincinnati, were respondents, at the October term thereof, A. D. 1852, to the Supreme Court of the United States. Now, if the said William A. Smith, Alexander L. P. Green, Charles B. Parsons, John Kelly, James W. Allen, and John Tevis, shall pay the full amount of the condemnation money in said Supreme Court, and costs, in case a decree shall be entered therein in favor of the appellees, then this obligation to be void, otherwise in full force and virtue in law.

A. L. P. GREEN, [SEAL.]
C. B. PARSONS, [SEAL.]
J. S. CHENOWETH. [SEAL.]

Witness:—E. STEVENSON, by
JOHN A. LYNCH,
As to J. S. Chenoweth.

On the hearing of this cause the parties, by their solicitors, filed in said court a certain agreement in the words and figures following, to wit:

Agreement of counsel.

Circuit court of the U. States, for the 7th circuit and District of Ohio.

WILLIAM A. SMITH et al.
vs.
LEROY SWORMSTEDT et al. } In chancery.

It is agreed, that the following extracts and documents be admitted in evidence, and that in addition thereto the Book of Discipline of the Methodist Episcopal Church may be referred to as containing the doctrine rules of government, and discipline of said church.

HENRY STANBERY,
Solicitor for complainants.
T. EWING,
Solicitor for defendants.

Columbus, Ohio, June 23, 1852.

Extracts from Emory's History of the Discipline.

In our civil governments the statutes are scattered through the several volumes of laws, which have been published from time to time, and therefore these are all preserved; but, in the Methodist Episcopal Church, the Discipline, as revised at each General Conference, being in itself complete, supplants all that had gone before it, and the previous editions are cast aside as of no further use. Thus it has continued, until now nearly sixty years have elapsed since the organization of the church, and the Discipline has undergone about twenty distinct revisions.—Page 3.

1780. Quest. 16. Ought not this conference to require those travelling preachers who hold slaves to give promises to set them free?

Ans. Yes.

Quest. 17. Does this conference acknowledge that slavery is contrary to the laws of God, man, and nature, and hurtful to society; contrary to the dictates of conscience and pure religion, and doing that which we would not others should do to us and ours; do we pass our disapprobation on all our friends who keep slaves, and advise their freedom?

Ans. Yes.—Pp. 14, 15.

1783. Quest. 10. What shall be done with our local preachers who hold slaves, contrary to the laws which authorize their freedom in any of the United States?

Ans. We will try them another year. In the mean time let every assistant deal faithfully and plainly with every one, and report to the next conference; it may then be necessary to suspend them.—P. 19.

1784. Quest. 12. What shall we do with our friends that will buy and sell slaves?

Ans. If they buy with no other design than to hold them as slaves, and have been previously warned, they shall be expelled, and permitted to sell on no consideration.

Quest. 13. What shall we do with our local preachers who will not emancipate their slaves in the States where the laws admit it?

Ans. Try those in Virginia another year, and suspend the preachers in Maryland, Delaware, Pennsylvania, and New Jersey.—P. 21.

Quest. 22. What shall be done with our travelling preachers that now are, or hereafter shall be, possessed of slaves, and refuse to manumit them where the law permits?

Ans. Employ them no more.—P. 22.

The close of the year 1784 constituted a new and most important epoch in American methodism. The independence of the United States having been confirmed by the peace of 1783, the authority of England over them, both civil and ecclesiastical, came to an end. The connexion with the church of England being thus providentially dissolved, Mr. Wesley, who had always resisted a separation from it, took measures, on the application of the American societies, to organize them into a church. In explanation of his views and wishes, he addressed to the brethren in America the following letter:

"BRISTOL, September 10, 1784.

"To Dr. Coke, Mr. Asbury, and our brethren in North America.

"1. By a very uncommon train of providences, many of the provinces of North America are totally disjointed from the British empire, and erected into independent States. The English Government has no authority over them, either civil or ecclesiastical, any more than over the States of Holland. A civil authority is exercised over them, partly by the Congress, partly by the State assemblies; but no one either exercises or claims any ecclesiastical authority at all. In this peculiar situation some thousands of the inhabitants of these States desire my advice; and, in compliance with their desire, I have drawn up a little sketch.

"2. Lord King's account of the primitive church convinced me, many years ago, that bishops and presbyters are the same order, and, consequently, have the same right to ordain. For many years I have been importuned, from time to time, to exercise this right, by ordaining part of our travelling preachers; but I have still refused, not only for peace sake, but because I was determined, as little as possible, to violate the established order of the National church to which I belonged.

"3. But the case is widely different between England and North America. Here there are bishops who have a legal jurisdiction; in America there are none, and but few parish ministers; so that, for some hundred miles together, there is none either to baptize or to administer the Lord's supper. Here, therefore, my scruples are at an end; and I conceive myself at full liberty, as I violate no order, and invade no man's right, by appointing and sending laborers into the harvest.

"4. I have, accordingly, appointed Dr. Coke and Mr. Francis Asbury to be joint superintendents over our brethren in North America; as also Richard Whatcoat and Thomas Vasey to act as elders among them, by baptizing and administering the Lord's supper.

"5. If any one will point out a more rational and scriptural way of feeding and guiding those poor sheep in the wilderness, I will gladly embrace it; at present I cannot see any better method than that I have taken.

"6. It has indeed been proposed, to desire the English bishops to ordain part of our preachers for America; but to this I object. (1.) I desired the bishop of London to ordain one only, but could not prevail. (2.) If they consented, we know the slowness of their proceedings, but the matter admits of no delay. (3.) If they would ordain them now, they would likewise expect to govern them; and how grievously would this entangle us. (4.) As our American brethren are now totally disentangled both from the State and from the English hierarchy, we dare not entangle them again, either with the one or the other. They are now at full liberty simply to follow the scriptures and the primitive church; and we judge it best that they should stand fast in that liberty wherewith God has so strangely made them free.—Pp. 22—24.

"JOHN WESLEY."

To carry into effect the proposed organization, a General Conference of preachers was called, to meet in Baltimore, at Christmas, 1784. Sixty out of the eighty-three preachers, then in the travelling connexion, attended at the appointed time. "At this conference," says the annual minutes for 1785, "it was unanimously agreed, that circumstances made it expedient for us to become a separate body, under the denomination of 'The Methodist Episcopal Church.'" And again they say, "We formed ourselves into an independent church; and, following the counsel of Mr. John Wesley, who recommended the Episcopal mode of church government, we thought it best to become an Episcopal church, making the Episcopal office elective, and the elected superintendent or bishop amenable to the body of ministers and preachers." They adopted a form of Discipline for the government of the church. This was substantially the same with the Large Minutes, the principal alterations being only such as were necessary to adapt it to the state of things in America. As this was the first Discipline of the Methodist Episcopal Church it is here republished entire, together with the portions of the Large Minutes which were left out or altered. Those parts of the Large Minutes which were left out of the Discipline of 1784 are here enclosed in brackets, and, when the passages are long, are printed in smaller type; while what was contained in the latter, and not in the former, is printed in italics. Where there has been merely a substitution of one passage for another, the language of the Large Minutes is given at the foot of the page. The figures in parenthesis refer to the Large Minutes.

First Discipline of the Methodist Episcopal Church, as compared with the Large Minutes.

"Minutes of several conversations between the Rev. Thomas Coke, LL. D., the Rev. Francis Asbury, and others, at a Conference, begun in Baltimore, in the State of Maryland, on Monday, the 27th of December, in the year 1784.

"Quest. 2. What can be done in order to the future union of the Methodists?

"Ans. During the life of the Rev. Mr. Wesley, we acknowledge ourselves his sons in the Gospel, ready, in matters belonging to church government, to obey his commands. And we do engage, after his death, to do every thing that we judge consistent with the cause of religion in America, and the political interests of these States, to preserve and promote our union with the Methodists in Europe.

"Quest. 3. As the ecclesiastical as well as civil affairs of these United States have passed through a very considerable change by the revolution, what plan of church government shall we hereafter pursue?

"Ans. We will form ourselves into an Episcopal Church, under the direction of superintendents, elders, deacons, and helpers, according to the forms of ordination annexed to our Liturgy, and the Form of Discipline set forth in these Minutes.

"Quest. 4. (3.) What may we reasonably believe to be God's design in raising up the preachers called Methodists?

"Ans. [Not to form any new sect; but] to reform the continent, [particularly the church,] and to spread scriptural holiness over these lands."—Pp. 25–27.

"Quest. 41. Are there any directions to be given concerning the negroes?

"Ans. Let every preacher, as often as possible, meet them in class; and let the assistant always appoint a proper white person as their leader. Let the assistants also make a regular return to the conference of the number of negroes in society in their respective circuits.

"Quest. 42. What methods can we take to extirpate slavery?

"Ans. We are deeply conscious of the impropriety of making new terms of communion for a religious society already established, excepting on the most pressing occasion; and such we esteem the practice of holding our fellow-creatures in slavery. We view it as contrary to the golden law of God, on which hang all the law and the prophets, and the unalienable rights of mankind, as well as every principle of the Revolution, to hold in the deepest debasement, in a more abject slavery than is perhaps to be found in any part of the world except America, so many souls that are all capable of the image of God.

"We therefore think it our most bounden duty to take immediately some effectual method to extirpate this abomination from among us; and for that purpose we add the following to the rules of our society, viz:

"1. Every member of our society who has slaves in his possession

shall, within twelve months after notice given to him by the assistant, (which notice the assistants are required immediately, and without any delay, to give in their respective circuits,) legally execute and record an instrument, whereby he emancipates and sets free every slave in his possession, who is between the ages of forty and forty-five, immediately, or at farthest when they arrive at the age of forty-five.

"And every slave who is between the ages of twenty-five and forty immediately, or at farthest at the expiration of five years from the date of the said instrument.

"And every slave who is between the ages of twenty and twenty-five immediately, or at farthest when they arrive at the age of thirty.

"And every slave under the age of twenty, as soon as they arrive at the age of twenty-five, at farthest.

"And every infant born in slavery, after the above mentioned rules are complied with, immediately on its birth.

"2. Every assistant shall keep a journal, in which he shall regularly minute down the names and ages of all the slaves belonging to all the masters in his respective circuit, and also the date of every instrument executed and recorded for the manumission of the slaves, with the name of the court, book, and folio, in which the said instruments respectively shall have been recorded; which journal shall be handed down in each circuit to the succeeding assistants.

"3. In consideration that these rules form a new term of communion, every person concerned, who will not comply with them, shall have liberty quietly to withdraw himself from our society within the twelve months succeeding the notice given as aforesaid; otherwise the assistant shall exclude him in the society.

"4. No person so voluntarily withdrawn, or so excluded, shall ever partake of the Supper of the Lord with the Methodists, till he complies with the above requisitions.

"5. No person holding slaves shall, in future, be admitted into society or to the Lord's Supper, till he previously complies with these rules concerning slavery.

"N. B. These rules are to affect the members of our society no farther than as they are consistent with the laws of the States in which they reside.

"And respecting our brethren in Virginia that are concerned, and after due consideration of their peculiar circumstances, we allow them two years from the notice given to consider the expedience of compliance or non-compliance with these rules.

"Quest. 43. What shall be done with those who buy or sell slaves, or give them away?

"Ans. They are immediately to be expelled; unless they buy them on purpose to free them."—Pp. 42–44.

1785. At the Annual Conferences for 1785 it was concluded that the rule on slavery, adopted at the Christmas Conference, would do harm. It was, therefore, resolved to suspend its execution for the present; and a note to that effect was added to the Annual Minutes for

that year. The conferences, however, still expressed "the deepest abhorrence' of "the practice," and a determination "to seek its destruction by all wise and prudent means."—P. 80.

1787. In 1787 the Discipline underwent an entire change in its form. It will have been perceived that the first and second editions consisted of a series of questions and answers, arranged with very little method. The book was now divided into sections, with appropriate heads.—P. 81.

Of the origin of the Methodist Episcopal Church.

1789. "SEC. 3. On the Nature and Constitution of our Church.

"We are thoroughly convinced that the Church of England, to which we have been united, is deficient in several of the most important parts of Christian discipline, and that (a few ministers and members excepted) it has lost the life and power of religion. We are not ignorant of the spirit and design it has ever discovered in Europe of rising to pre-eminence and worldly dignities by virtue of a national establishment, and by the most servile devotion to the will of temporal governors; and we fear the same spirit will lead the same Church in these United States (though altered in its name) to similar designs and attempts, if the number and strength of its members will ever afford a probability of success; and particularly to obtain a national establishment, which we cordially abhor as the great bane of truth and holiness, and consequently a great impediment to the progress of vital Christianity.

"For these reasons we have thought it our duty to form ourselves into an independent church. And as the most excellent mode of church government, according to our maturest judgment, is that of a moderate episcopacy; and as we are persuaded that the uninterrupted succession of bishops from the apostles can be proved neither from Scripture nor antiquity, we therefore have constituted ourselves into an Episcopal Church, under the direction of bishops, elders, deacons, and preachers, according to the forms of ordination annexed to our Prayer book, and the regulations laid down in this Form of Discipline."

"SEC. 4. On constituting of Bishops, and their duty.

"Quest. 1. What is the proper origin of the Episcopal authority in our church?

"Ans. In the year 1784 the Rev. John Wesley, who, under God, has been the father of the great revival of religion now extending over the earth by the means of the Methodists, determined, at the intercession of multitudes of his spiritual children on this continent, to ordain ministers for America, and for this purpose sent over three regularly ordained clergy; but preferring the Episcopal mode of church government to any other, he solemnly set apart, by the imposition of his hands and prayer, one of them, namely, Thomas Coke, doctor of civil law, late of Jesus college, in the University of Oxford, for the Episco-

pal office; and having delivered to him letters of Episcopal orders, commissioned and directed him to set apart Francis Asbury, then general assistant of the Methodist Society in America, for the same Episcopal office, he, the said Francis Asbury, being first ordained deacon and elder. In consequence of which the said Francis Asbury was solemnly set apart for the said Episcopal office by prayer and the imposition of the hands of the said Thomas Coke, other regularly ordained ministers assisting in the sacred ceremony. At which time the General Conference, held at Baltimore, did unanimously receive the said Thomas Coke and Francis Asbury as their bishops, being fully satisfied of the validity of their Episcopal ordination."—Pp. 93, 94.

Of the General and Annual Conferences.

Of the General Conference.

Nothing appears on this subject until 1792, when the first General Conference, after the organization of the church, was held. We then find the following:

1792. "Quest. 2. Who shall compose the General Conference?

"Ans. All the travelling preachers who shall be in full connexion at the time of holding the conference.

"Quest. 3. When and where shall the next General Conference be held?

"Ans. On the first day of November, in the year 1796, in the town of Baltimore."

1796. Question 3 struck out.

1800. An additional qualification for membership was added, namely, to "have travelled four years."

1804. It was provided that the "four years" should date "from the time that they were received on trial by an Annual Conference."

1808. This was the last meeting of a General Conference, composed of all the preachers who had travelled four years. It was then resolved to have, in future, a delegated General Conference, and the following was adopted as its constitution, in lieu of the former.

"Ques. 2. Who shall compose the General Conference, and what are the regulations and powers belonging to it?

"Ans. 1. The General Conference shall be composed of one member for every five members of each annual conference, to be appointed either by seniority or choice, at the discretion of such Annual Conference; yet so that such representatives shall have travelled at least four full calendar years from the time that they were received on trial by an annual conference, and are in full connexion at the time of holding the conference.

"2. The General Conference shall meet on the first day of May, in the year of our Lord 1812, in the city of New York, and thenceforward on the first day of May, once in four years perpetually, in such place or places as shall be fixed on by the General Conference from time to time; but the general superintendents, with or by the ad-

vice of all the Annual Conferences, or if there be no general superintendent, all the Annual Conferences respectively, shall have power to call a General Conference, if they judge it necessary at any time.

"3. At all times when the General Conference is met, it shall take two-thirds of the representatives of all the Annual Conferences to make a quorum for transacting business.

"4. One of the general superintendents shall preside in the General Conference; but in case no general superintendent be present, the General Conference shall choose a president pro tem.

"5. The General Conference shall have full powers to make rules and regulations for our Church, under the following limitations and restrictions, namely:

"1. The General Conference shall not revoke, alter, or change our Articles of Religion, nor establish any new standards or rules of doctrine contrary to our present existing and established standards of doctrine.

"2. They shall not allow of more than one representative for every five members of the Annual Conference, nor allow of a less number than one for every seven.

"3. They shall not change or alter any part or rule of our government, so as to do away Episcopacy, or destroy the plan of our itinerant general superintendency.

"4. They shall not revoke or change the general rules of the United Societies.

"5. They shall not do away the privileges of our ministers or preachers of trial by a committee, and of an appeal; neither shall they do away the privileges of our members of trial before the society, or by a committee, and of an appeal.

"6. They shall not appropriate the produce of the Book Concern, nor of the Chartered Fund, to any purpose other than for the benefit of the travelling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children.

"Provided, nevertheless, that upon the joint recommendation of all the Annual Conferences, then a majority of two-thirds of the General Conference succeeding shall suffice to alter any of the above restrictions."

1816. The ratio of representation, in Ans. 1, was altered to one for every seven.

1832. The former proviso, at the close of the restrictive rules, was struck out, and the following substituted: "Provided, nevertheless, that upon the concurrent recommendation of three-fourths of all the members of the several Annual Conferences, who shall be present and vote on such recommendation, then a majority of two-thirds of the General Conference succeeding shall suffice to alter any of the above restrictions excepting the first article; and, also, whenever such alteration or alterations shall have been first recommended by two-thirds of the General Conference, so soon as three-fourths of the members of all

the Annual Conferences shall have concurred as aforesaid, such alteration or alterations shall take effect."

1836. The ratio of representation was altered to one for every twenty-one; and to allow this, the second of the restrictive rules was changed to the following:

"2. They shall not allow of more than one representative for every fourteen members of the Annual Conference, nor allow of a less number than one for every thirty: provided, nevertheless, that when there shall be in any Annual Conference a fraction of two-thirds the number which shall be fixed for the ratio of representation, such Annual Conference shall be entitled to an additional delegate for such fraction; and provided, also, that no conference shall be denied the privilege of two delegates."—Pp. 111—114.

Bishops and their Duty.

1792. "Ques. 3. What is the bishop's duty?

"Ans. 1. To preside in our conferences.

"2. To fix the appointments of the preachers for the several circuits.

"3. In the intervals of the conferences to change, receive, or suspend preachers, as necessity may require.

"4. To travel through the connexion at large.

"5. To oversee the spiritual and temporal business of the societies.

"6. To ordain bishops, elders, and deacons.

"Ques. 4. To whom is the bishop amenable for his conduct?

"Ans. To the General Conference, who have power to expel him for improper conduct, if they see it necessary.

"Ques. 5. What provision shall be made for the trial of an immoral bishop in the interval of the General Conference?

"Ans. If a bishop be guilty of immorality, three travelling elders shall call upon him and examine him on the subject; and if the three elders verily believe that the bishop is guilty of the crime, they shall call to their aid two presiding elders from two districts in the neighborhood of that where the crime was committed, each of which presiding elders shall bring with him two elders, or an elder and a deacon. The above mentioned nine persons shall form a conference, to examine into the charge brought against the bishop; and if two thirds of them verily believe him to be guilty of the crime laid to his charge, they shall have authority to suspend the bishop till the ensuing General Conference, and the districts snall be regulated in the mean time as is provided in the case of the death of a bishop."—Pp. 121, 122.

1804. To the second of the bishop's duties (Question 3) is added this clause: "Provided he shall not allow any preacher to remain in the same station more than two years successively; excepting the presiding elders, the editor and general book-steward, the assistant editor and general book-steward, the supernumerary, superannuated and worn-out preachers." To the third is added, "and as the Discipline directs."

In the answer to Question 5 the word "guilty," in the first line, is changed to "accused," and the following clause is added at the close: "But no accusation shall be received against a bishop except it be delivered in writing, signed by those who are to prove the crime; and a copy of the accusation shall be given to the accused bishop."—P. 152.

Of the printing and circulating of books, and of the profits arising therefrom.

1800. The form of questions and answers laid aside, and the whole section remodeled as follows:

1. Ezekiel Cooper is appointed the superintendent of the Book Concern, who shall have authority to regulate the publications, and all other parts of the business, according to the state of the finances from time to time. It shall be his duty to inform the Annual Conferences if any of the preachers or private members of the society neglect to make due payment. He may publish any books or tracts which at any time may be approved of or recommended by the majority of an Annual Conference, provided such books or tracts be also approved of by the Book Committee, which shall be appointed by the Philadelphia Annual Conference. He may reprint any book or tract which has once been approved and published by us, when, in his judgment, the same ought to be reprinted. Let his accounts and books be examined by the Philadelphia Conference at the time of the sitting of the said Conference.

"2. It shall be the duty of every presiding elder, where no book steward is appointed, to see that his district be fully supplied with books. He is to order such books as are wanted, and to give direction to whose care the same are to be sent; and he is to take the oversight of all our books sent into his district, and to account with the superintendent for the same. He is to have the books distributed among the several circuits in his district, and is to keep an account with each preacher who receives or sells the books; and is to receive the money, and to forward it to the superintendent. When a presiding elder is removed, he is to make a full settlement for all the books sold or remaining in his district; and is also to make a transfer to his successor of all the books and accounts left with the preachers in the district, the amount of which shall go to his credit, and pass to the debit of his successor.

"3. It shall be the duty of every preacher, who has the charge of a circuit, to see that his circuit be duly supplied with books, and to take charge of all the books that are sent to him from time time, or which may be in his circuit; and he is to account with the presiding elder for the same. When a preacher leaves his circuit he must settle with the presiding elder for all the books he has disposed of; he is also to make out an inventory of all that are remaining unsold, which shall be collected at one place, the amount of which shall go to his credit, and be transferred to his successor, who is to take charge of the same. If the

preacher who has the charge of the circuit be negligent in dispersing the books, the presiding elder shall commit the charge of the books to another.

"4. The superintendent of the book business may, from time to time, supply the preachers with books in those circuits which are adjacent or convenient to Philadelphia, and settle with them for the same; in such cases the regulations respecting the presiding elders are not to apply.

"5. In all cases where books are sent to distant places, the presiding elders or preachers shall be allowed to put a small additional price on such books as will best bear it, in order to pay the expense of freight or carriage; but the addition must not be more than what is necessary to defray such expenses.

"6. Every annual conference shall appoint a committee or committees to examine the accounts of the presiding elders, preachers, and book-stewards, in their respective districts or circuits. Every presiding elder, minister, and preacher shall do every thing in their power to recover all debts due to the concern, and also all the books belonging to the concern which may remain in the hands of any person within their districts or circuits. If any preacher or member be indebted to the Book Concern, and refuse to make payment, or to come to a just settlement, let him be dealt with for a breach of trust, and such effectual measures be adopted for the recovery of such debts as shall be agreeable to the direction of the annual conferences respectively.

"7. There shall be no drafts made upon the Book Concern till its debts are discharged, and a sufficient capital provided for carrying on the business; after which, the profits arising from the books shall be regularly paid to the chartered fund, and be applied, with the annual income of the funded stock, to the support of the distressed travelling preachers and their families, the widows and orphans of preachers, &c.

"8. It shall be the duty of the preacher or preachers who travel with any of the bishops, if he or they be authorized by the superintendent of the Book Concern, to act as an agent in the settlement of accounts, collecting money, or in transacting any business belonging to the Book Concern.—Pp. 258–260.

1804. "7. The profits arising from the Book Concern, after a sufficient capital to carry on the business is retained, shall be regularly applied to the support of the distressed travelling preachers and their families, the widows and orphans of preachers, &c. The general book-steward shall every year send forward to each annual conference an account of the dividend which the several annual conferences may draw that year; and each conference may draw for their proportionate part on any person who has book-money in hand, and the drafts, with the receipt of the conference thereon, shall be sent to the general book-steward, and be placed to the credit of the person who paid the same. But each annual conference is authorized, at all events, to draw on the general book-steward for one hundred dollars."—Pp. 261, 262.

Of Slavery.

For the provisions on this subject, prior to 1784, see pp. 14, 15, 19, 21, 22. For the rules adopted at the Christmas Conference, see pp. 43, 44. Not more than six months had elapsed after the adoption of these last rules before it was thought necessary to suspend them. Accordingly, in the Annual Minutes for 1785 the following notice was inserted:

"It is recommended to all our brethren to suspend the execution of the minute on slavery till the deliberations of a future conference; and that an equal space of time be allowed all our members for consideration, when the minute shall be put in force.

"N. B. We do hold in the deepest abhorrence the practice of slavery; and shall not cease to seek its destruction by all wise and prudent means."

This note does not seem to refer to question 43, (1784,) as it, with the same answer, was retained in the Discipline of 1786. From this till 1796 no mention, it would seem, was made of the subject except in the General Rules. (See p. 181.)

1796.—The following section was introduced on the subject:

"Question. What regulations shall be made for the extirpation of the crying evil of African slavery?

"Answer 1. We declare, that we are more than ever convinced of the great evil of the African slavery which still exists in these United States, and do most earnestly recommend to the yearly conferences, quarterly meetings, and to those who have the oversight of districts and circuits, to be exceedingly cautious what persons they admit to official stations in our church; and in the case of future admission to official stations, to require such security of those who hold slaves, for the emancipation of them, immediately or gradually, as the laws of the States respectively, and the circumstances of the case will admit; and we do fully authorize all the yearly conferences to make whatever regulations they judge proper, in the present case, respecting the admission of persons to official stations in our church.

"2. No slaveholder shall be received into society till the preacher who has the oversight of the circuit has spoken to him freely and faithfully on the subject of slavery.

"3. Every member of the society who sells a slave shall immediately, after full proof, be excluded the society. And if any member of our society purchase a slave, the ensuing quarterly meeting shall determine on the number of years in which the slave so purchased would work out the price of his purchase. And the person so purchasing shall, immediately after such determination, execute a legal instrument for the manumission of such slave, at the expiration of the term determined by the quarterly meeting. And in default of his executing such instrument of manumission, or on his refusal to submit his case to the judgment of the quarterly meeting, such member shall be excluded the society. *Provided, also,* that in the case of a female slave,

it shall be inserted in the aforesaid instrument of manumission, that all her children who shall be born during the years of her servitude shall be free at the following times, namely, every female child at the age of twenty-one, and every male child at the age of twenty-five. *Nevertheless*, if the member of our society, executing the said instrument of manumission, judge it proper, he may fix the times of manumission of the children of the female slaves before mentioned at an earlier age than that which is prescribed above.

"4. The preachers and other members of our society are requested to consider the subject of negro slavery with deep attention till the ensuing General Conference; and that they impart to the General Conference, through the medium of the yearly conferences, or otherwise, any important thoughts upon the subject, that the conference may have full light, in order to take further steps toward the eradicating this enormous evil from that part of the Church of God to which they are united."

1800.—The following new paragraphs were inserted:

"2. When any travelling preacher becomes an owner of a slave or slaves, by any means, he shall forfeit his ministerial character in our church, unless he execute, if it be practicable, a legal emancipation of such slaves, conformably to the laws of the State in which he lives.

"6. The annual conferences are directed to draw up addresses for the gradual emancipation of the slaves, to the legislatures of those States in which no general laws have been passed for that purpose. These addresses shall urge, in the most respectful, but pointed manner, the necessity of a law for the gradual emancipation of the slaves; proper committees shall be appointed, by the annual conferences, out of the most respectable of our friends, for the conducting of the business; and the presiding elders, elders, deacons, and travelling preachers, shall procure as many proper signatures as possible to the addresses, and give all the assistance in their power in every respect to aid the committees, and to further this blessed undertaking. Let this be continued from year to year, till the desired end be accomplished."

1804.—The following alterations were made:

The question reads, "What shall be done for the extirpation of the evil of slavery?

In paragraph 1, (1796) instead of "more than ever convinced," we have, "as much as ever convinced;" and instead of "the African slavery which still exists in these United States," we have "slavery."

In paragraph 4, (3 of 1796,) respecting the selling of a slave, before the words "shall immediately," the following clause is inserted: "except at the request of the slave, in cases of mercy and humanity, agreeably to the judgment of a committee of the male members of the society, appointed by the preacher who has charge of the circuit."

The following new proviso was inserted in this paragraph: "Provided, also, that if a member of our society shall buy a slave with a certificate of future emancipation, the terms of emancipation shall, not-

withstanding, be subject to the decision of the quarterly meeting conference." All after "nevertheless" was struck out, and the following substituted: "The members of our societies in the States of North Carolina, South Carolina, Georgia, and Tennessee, shall be exempted from the operation of the above rules." The paragraphs about considering the subject of slavery and petitions to legislatures, (namely, No. 4 of 1796, and No. 6 of 1800,) were struck out, and the following added:

"5. Let our preachers, from time to time, as occasion serves, admonish and exhort all slaves to render due respect and obedience to the commands and interests of their respective masters."

1808.—All that related to slaveholding among private members (see 2 and 3 of 1796) struck out, and the following substituted:

"3. The General Conference authorizes each Annual Conference to form their own regulations relative to buying and selling slaves."

Paragraph 5 of 1804 was also struck out.

1812.—Paragraph 3 of 1808 was altered so as to read—

"3. Whereas the laws of some of the States do not admit of emancipating of slaves, without a special act of the legislature, the General Conference authorizes each Annual Conference to form their own regulations relative to buying and selling slaves."

1816.—Paragraph 1 (see 1796) was altered so as to read—

"1. We declare that we are as much as ever convinced of the great evil of slavery; therefore no slaveholder shall be eligible to any official station in our Church hereafter, where the laws of the State in which he lives will admit of emancipation, and permit the liberated slave to enjoy freedom."

1820.—Paragraph 3, (see 1812,) leaving it to the Annual Conferences "to form their own regulations about buying and selling slaves," was struck out.

1824.—The following paragraphs added:

"3. All our preachers shall prudently enforce upon our members the necessity of teaching their slaves to read the word of God; and to allow them time to attend upon the public worship of God on our regular days of divine service.

"4. Our colored preachers and official members shall have all the privileges which are usual to others in the district and quarterly conferences, where the usages of the country do not forbid it. And the presiding elder may hold for them a separate district conference, where the number of colored local preachers will justify it.

"5. The Annual Conferences may employ colored preachers to travel and preach where their services are judged necessary; provided that no one shall be so employed without having been recommended according to the Form of Discipline."—Pp. 274-279.

Extracts from Book of Discipline of 1840.

ARTICLES OF RELIGION.

V. *The Sufficiency of the Holy Scriptures for Salvation.*

The Holy Scriptures contain all things necessary to salvation; so that whatsoever is not read therein, nor may be proved thereby, is not to be required of any man that it should be believed as an article of faith, or be thought requisite or necessary to salvation.—P. 10.

XIII. *Of the Church.*

The visible Church of Christ is a congregation of faithful men, in which the pure word of God is preached, and the sacraments duly administered according to Christ's ordinance in all those things that of necessity are requisite to the same.—P. 14.

XXII. *Of the Rites and Ceremonies of Churches.*

It is not necessary that rites and ceremonies should in all places be the same, or exactly alike; for they have been always different, and may be changed according to the diversity of countries, times, and men's manners, so that nothing be ordained against God's word. Whosoever, through his private judgment, willingly and purposely doth openly break the rites and ceremonies of the church to which he belongs, which are not repugnant to the word of God, and are ordained and approved by common authority, ought to be rebuked openly, that others may fear to do the like, as one that offendeth against the common order of the church, and woundeth the consciences of weak brethren.

Every particular church may ordain, change, or abolish rites and ceremonies, so that all things may be done to edification.—Pp. 18, 19.

XXIII. *Of the Rulers of the United States of America.*

The President, the Congress, the general assemblies, the governors, and the councils of State, as the delegates of the people, are the rulers of the United States of America, according to the division of power made to them by the Constitution of the United States, and by the constitutions of their respective States. And the said States are a sovereign and independent nation, and ought not to be subject to any foreign jurisdiction.*

* As far as it respects civil affairs, we believe it the duty of Christians, and especially all Christian ministers, to be subject to the supreme authority of the country where they may reside, and to use all laudable means to enjoin obedience to the powers that be; and therefore it is expected that all our preachers and people, who may be under the British, or any other government, will behave themselves as peaceable and orderly subjects.—P. 19.

Of the General Conference.

Question 2. Who shall compose the General Conference, and what are the regulations and powers belonging to it?

Answer 1. The General Conference shall be composed of one member for every twenty-one members of each Annual Conference, to be appointed either by seniority or choice, at the discretion of such Annual Conference; yet so that such representatives shall have travelled at least four full calendar years from the time that they were received on trial by an Annual Conference, and are in full connexion at the time of holding the Conference.

2. The General Conference shall meet on the first day of May, in the year of our Lord 1812, in the city of New York, and thence forward on the first day of May, once in four years perpetually, in such place or places as shall be fixed on by the General Conference from time to time; but the general superintendents, with or by the advice of all the Annual Conferences, or if there be no general superintendent, all the Annual Conferences respectively, shall have power to call a General Conference, if they judge it necessary at any time.

3. At all times when the General Conference is met, it shall take two-thirds of the representatives of all the Annual Conferences to make a quorum for transacting business.

4. One of the general superintendents shall preside in the General Conference; but in case no general superintendent be present, the General Conference shall choose a president pro tem.

5. The General Conference shall have full powers to make rules and regulations for our Church, under the following limitations and restrictions, viz:

1. The General Conference shall not revoke, alter, or change our articles of religion, nor establish any new standards or rules of doctrine contrary to our present existing and established standards of doctrine.
2. They shall not allow of more than one representative for every fourteen members of the Annual Conference, nor allow of a less number than one for every thirty; provided, nevertheless, that when there shall be in any Annual Conference a fraction of two-thirds the number which shall be fixed for the ratio of representation, such Annual Conference shall be entitled to an additional delegate for such fraction; and provided, also, that no conference shall be denied the privilege of two delegates.
3. They shall not change or alter any part or rule of our government, so as to do away Episcopacy, or destroy the plan of our itinerant general superintendency.
4. They shall not revoke or change the general rules of the United Societies.
5. They shall not do away the privileges of our ministers or preachers of trial by a committee, and of an appeal; neither shall they do away the privileges of our members of trial before the society, or by a committee, and of an appeal.

6. They shall not appropriate the produce of the Book Concern, nor of the Charter Fund, to any purpose other than for the benefit of the travelling, supernumerary, superannuated and worn-out preachers, their wives, widows, and children. Provided, nevertheless, that upon the concurrent recommendation of three-fourths of all the members of the several Annual Conferences, who shall be present and vote on such recommendation, then a majority of two-thirds of the General Conference succeeding shall suffice to alter any of the above restrictions, excepting the first article; and also, whenever such alteration or alterations shall have been first recommended by two-thirds of the General Conference, so soon as three-fourths of the members of all the Annual Conferences shall have concurred as aforesaid, such alteration or alterations shall take effect.—Pp. 21–24.

Of the Annual Conferences.

Question 3. Who shall attend the yearly conferences?

Answer. All the travelling preachers who are in full connexion, and those who are to be received into full connexion.—P. 24.

Of the allowance to the ministers and preachers, and to their wives, widows, and children.

1. The annual allowance of the married travelling, supernumerary, and superannuated preachers, and the bishops, shall be two hundred dollars, and their travelling expenses.

2. The annual allowance of the unmarried travelling, supernumerary, and superannuated preachers, and bishops, shall be one hundred dollars, and their travelling expenses.

3. Each child of a travelling preacher or bishop shall be allowed sixteen dollars annually, to the age of seven years, and twenty-four dollars annually from the age of seven to fourteen years; and those preachers whose wives are dead shall be allowed for each child annually a sum sufficient to pay the board of such child or children during the above term of years: Nevertheless, this rule shall not apply to the children of preachers whose families are provided for by other means in their circuits respectively.

4. The annual allowance of the widows of travelling, superannuated, worn-out, and supernumerary preachers, and the bishop, shall be one hundred dollars.

5. The orphans of travelling, supernumerary, superannuated, and worn-out preachers, and the bishop, shall be allowed by the Annual Conferences the same sums respectively which are allowed to the children of living preachers. And on the death of a preacher leaving a child or children without so much of worldly goods as should be necessary to his, her, or their support, the Annual Conference of which he was a member shall raise, in such manner as may be deemed best,

a yearly sum for the subsistence and education of such orphan child or children, until he, she, or they, shall have arrived at fourteen years of age. The amount of which yearly sum shall be fixed by a Committee of the Conference at each session in advance.—Pp. 181, 182.

Of the printing and circulating of books, and of the profits arising therefrom.

1. The principal establishment of the Book Concern shall be in the city of New York; and there shall be such other establishments as the General Conference may deem expedient.—P. 198.

28. The profits arising from the Book Concern, after a sufficient capital to carry on the business is retained, shall be regularly applied to the support of the deficient travelling preachers and their families, the widows and orphans of preachers, &c. The general book steward shall every year send forward to each Annual Conference an account of the dividend which the several Annual Conferences may draw that year; and each conference may draw for its proportionate part on any person who has book-money in hands, and the drafts, with the receipt of the conference thereon, shall be sent to the general book steward, and be placed to the credit of the person who paid the same.—Pp. 207, 208.

Of slavery.

Question. What shall be done for the extirpation of the evil of slavery?

Answer 1. We declare that we are as much as ever convinced of the great evil of slavery; therefore no slaveholder shall be eligible to any official station in our church hereafter, where the laws of the State in which he lives will admit of emancipation, and permit the liberated slave to enjoy freedom.

2. When any travelling preacher becomes an owner of a slave or slaves, by any means, he shall forfeit his ministerial character in our church, unless he execute, if it be practicable, a legal emancipation of such slaves, conformably to the laws of the State in which he lives.

3. All our preachers shall prudently enforce upon our members the necessity of teaching their slaves to read the word of God; and to allow them time to attend upon the public worship of God on our regular days of divine service.

4. Our colored preachers and official members shall have all the privileges which are usual to others in the district and quarterly conferences, where the usages of the country do not forbid it. And the presiding elder may hold for them a separate district conference, where the number of colored local preachers will justify it.

5. The Annual Conferences may employ colored preachers to travel and preach where their services are judged necessary; provided that no one shall be so employed without having been recommended according to the form of discipline. Pp. 209, 210.

Extracts from the unprinted journals and documents of the General Conference for 1828, 1832, *and* 1836.

MAY 5, 1828.—A petition from the Canada Annual Conference was presented by William Ryerson, praying that they may be separated from the jurisdiction of the General Conference of the Methodist Episcopal Church in the United States; which was, on motion, referred to a special committee, to consist of seven members.

The petition.

To the bishops and members of the General Conference of the Methodist Episcopal Church, assembled at Pittsburgh.

REVEREND FATHERS AND BRETHREN:

The Canada Conference having, after mature deliberation, deemed a separation expedient, most humbly pray that they may be set off a separate and independent church in Canada.

Your petitioners are induced to present this their humble prayer, for the following reasons:

1st. Our political relations, and the political feelings of a great part of the community, are such, that we labor under many very serious embarrassments on account of our union with the United States; from which embarrassments we would, in all probability, be relieved by a separation.

2d. The local circumstances of our societies in this province; the rapid increase and extension of the work, both among the white inhabitants and the Indians; the prospects of division among ourselves, if our present relation be continued, render it necessary for us to be under ecclesiastical regulations somewhat of a peculiar character, so as to suit our local circumstances. These circumstances, together with our being scattered over a large country, render it highly necessary to have a superintendent who may devote himself exclusively to the interests of the church in this province. By this means he would be identified with us, would more sensibly feel our interests his own, and his influence would be proportionably greater in preserving us in the unity of the Spirit and the bond of peace.

3d. It is highly probable we shall obtain some important religious privileges by becoming a separate body.

4th. In the event of a war between the two nations, it would be altogether impracticable for a superintendent to discharge the duties of the office, unless he be resident in this province.

5th. It is the general wish of our people in this province to become separate; nor will they, according to present appearances, be satisfied without such separation.

These, reverend fathers and brethren, are some of the principal reasons which induce us to pray for an independent ecclesiastical establishment in Upper Canada.

Your petitioners, likewise, most humbly and earnestly solicit that the General Conference may also be pleased—

1st. To maintain with the British Conference, as far as practicable, the main principles of the late arrangements with regard to Canada.

2d. That the General Conference will appoint such an individual for a superintendent of our societies in Canada as may be nominated by the delegates of the Canada Conference.

3d. That the church in Canada may be embraced in the general and friendly principle recognised by the two connexions—"The Wesleyan Methodists are the same in every part of the world."

4th. That the General Conference will, together with an independent establishment, be pleased to grant your petitioners a portion of the Book Concern, of the Chartered Fund, and a portion of the fund of the Missionary Society.

JAMES RICHARDSON,
Sec. Canada Conf.

September 7, 1827.

MAY 6, 1828.—The Committee on the Petition from Canada was announced by the chair, and consists of the following members, to wit: N. Bangs, Isaac Bonny, Charles Pitman, Zachariah Paddock, Russel Bigalow, and Caleb Leach.

Report of the Committee on Canada Affairs.

The Committee on Canada Affairs, to whom was referred the petition of the Canada Conference praying this General Conference to grant a separate establishment of that branch of the Methodist Episcopal Church situated in the province of Upper Canada, under certain conditions expressed in said petition, beg leave to report—

That, having heard the statements of the delegation from the Canada Conference explanatory of the situation of the church in that province, and of the necessity and expediency of the measure prayed for in the petition; and also considered the petition itself, together with the address of the Canada Conference to the several Annual Conferences in the United States, the committee are unanimously of the opinion, that, however peculiar may be the situation of our brethren in Canada, and however much we may sympathize with them in their present state of perplexity, this General Conference cannot consistently grant them a separate church establishment, according to the prayer of the petitioners. The committee, therefore, recommend to the General Conference the adoption of the following resolutions:

1. That, inasmuch as the several Annual Conferences have not recommended it to the General Conference, it is unconstitutional, and also, under the circumstances, inexpedient, to grant the prayer of the petitioners for a separate church establishment in Upper Canada.

2. That an affectionate circular address be prepared by this General Conference, stating the reasons why their request cannot be granted, and expressing the unabated attachment of this conference for their

brethren in Canada, and their earnest desire for their continuance with them in the fellowship of the church.

All which is respectfully submitted.

(Signed) N. BANGS, *Chairman.*

PITTSBURGH, *May* 12, 1828.

MAY 17.—Rev. John Ryerson, one of the delegates from the Canada Conference, offered the following substitute for the report under consideration:

Whereas the Canada Annual Conference, situated in the province of Upper Canada, under a foreign government, have, in their memorial, presented to this conference the disabilities under which they labor, in consequence of their union with a foreign ecclesiastical government, and setting forth their desire to be set off as a separate church establishment; and whereas this General Conference disclaim all right to exercise ecclesiastical jurisdiction under such circumstances, except by mutual agreement:

1. Resolved, therefore, by the delegates of the Annual Conferences in General Conference assembled, that the compact existing between the Canada Annual Conference and the Methodist Episcopal Church in the United States be, and hereby is, dissolved by mutual consent.

2. That our superintendents or superintendent be, and hereby are, respectfully advised and requested to ordain such person as may be elected by the Canada Conference a superintendent for the Canada connexion.

3. That we do hereby recommend to our brethren in Canada to adopt the form of government of the Methodist Episcopal Church in the United States, with such modifications as their particular relations shall render necessary.

4. That we do hereby express to our Canada brethren our sincere desire that the most friendly feeling may exist between them and the connexion of the Methodist Episcopal Church in the United States.

5. That the claims of the Canada Conference on our Book Concern and Chartered Fund, and any other claims they may suppose they justly have, shall be left open for future negotiation and adjustment between the two connexions.

G. R. JONES,

MAY 17th. MOSES CRUME.

The question on the first resolution was decided in the affirmative, 104 for, and 43 against it. The other four resolutions were, on motion, referred to a special committee, to consist of five members. The President reported the names of the committee, which were as follows:

John Emory, Wilbur Fisk, G. R. Jones, Beverly Waugh, Robert Paine.

The committee reported as follows:

Resolved, by the delegates of the Annual Conferences in General Conference assembled, that whereas the jurisdiction of the Methodist

Episcopal Church in the United States of America has heretofore been extended over the ministers and members in connexion with said Church in the province of Upper Canada by mutual agreement, and by the consent and desire of our brethren in that province; and whereas this General Conference is satisfactorily assured that our brethren in the said province, under peculiar and pressing circumstances, do now desire to organize themselves into a distinct Methodist Episcopal Church, in friendly relations with the Methodist Episcopal Church in the United States; therefore, be it is resolved, and it is hereby resolved by the delegates of the Annual Conferences in General Conference assembled:—

1. If the Annual Conference in Upper Canada, at its ensuing session, or any succeeding session previously to the next General Conference, shall definitely determine on this course, and elect a general superintendent of the Methodist Episcopal Church in that province, this General Conference do hereby authorize any one or more of the general superintendents of the Methodist Episcopal Church in the United States, with the assistance of any two or more elders, to ordain such general superintendent for the said Church in Upper Canada; provided, always, that nothing herein contained be contrary to, or inconsistent with, the laws existing in the said province; and provided, that no such general superintendent of the Methodist Episcopal Church in Upper Canada, or any of his successors in office, shall at any time exercise any ecclesistical jurisdiction whatever in any part of the United States, or of the territories thereof; and provided, also, that this article shall be expressly ratified and agreed to by the said Canada Annual Conference before any such ordination shall take place.

2. That the delegate who has been selected by this General Conference to attend the ensuing Annual Conference of the British Wesleyan Methodist Connexion, be, and hereby is, instructed to express to that body the earnest and affectionate desire of this General Conference that the arrangement made with that connexion in relation to the labors of their missionaries in Upper Canada may still be maintained and observed.

3. That our brethren and friends, ministers or others, in Upper Canada, shall at all times, at their request, be furnished with any of our books and periodical publications on the same terms with those by which our agents are regulated in furnishing them in the United States; and until there shall be an adjustment of any claims which the Canada Church may have on this connexion, the book agents shall divide to the said Canada Church an equal proportion of any annual dividend which may be made from the Book Concern to the several Annual Conferences respectively; provided, however, that the aforesaid dividend shall be apportioned to the Canada Church only as long as they may continue to support and patronize our Book Concern, as in time past.

Respectfully submitted.

(Signed) W. FISK, *Chairman.*

PITTSBURGH, *May* 20, 1828.

Wednesday morning, May 21.—It was, on motion, Resolved, That the subject of the petition from the Canada Conference be resumed: Whereupon, the resolutions, as reported by the last committee appointed on that subject, were read. It was then resolved, that the subject shall now be considered and acted on.

Samuel H. Thompson moved, and it was seconded, that the resolutions, as reported by the committee, be adopted. The question being taken, it was decided in the affirmative, 108 voting in favor of adoption, and 22 against it.

May 23.—J. Emory moved, and it was seconded, that the resolution first adopted on the subject of the separation of the Canada Conference from the connexion in the United States be re-considered, and the motion prevailed. It was then resolved, on motion, that this resolution be rescinded.

May 4, 1832.—An address from the delegates of the Methodist Episcopal Church of Canada was presented and read; and, on motion, that part of it relating to the Book Concern was referred to the Committee on the Book Concern, and that part of it relating to missions referred to the Committee on Missions.

May 18.—On motion, the report of the Committee on the Book Concern respecting the Canada business was called up. (The delegates, Messrs. William Case, Franklin Metcalf, and William Ryerson having presented their certificates, which were accepted.) The report of the committee was then read, and seconded that it be adopted.

May 19.—The report on the Canada business was called up, and, after some remarks on the subject, D. Ostrander moved an amendment, which was withdrawn.

Brothers Emory, Ryerson, and others, addressed the conference on the subject until the hour of adjournment.

May 21.—On motion, the consideration of the report on the Canada business was resumed. The report was read. Brother Case, one of the delegates from Canada, requested that brother Frsk might be permitted to address the conference for him, and in his place, to give his views on the subject, which was granted; and replies were made by brothers Few, Ryerson, &c., when it was moved and seconded that the vote should be taken without further debate. The question on the first resolution in the report was then read, voted, and lost—75 to 130. On motion by J. Emory, seconded by W. Capers, to amend the report, such amendment, together with the remaining items in the report, were referred to a select committee of five to examine and report thereon.

In the afternoon session, the select committee on the Canada business was announced by the president, (Bishop Hedding,) namely: D. Ostrander, G. Pickering, J. Emory, L. Clark, and Abner Chase.

May 23.—The report on the Canada business was then read by the secretary, and the first resolution taken up for consideration. Brothers Case, Ostrander, Cox, Winans, Ryerson, Emory, and others, spoke on the subject. The previous question was called for. Bishop

Soule requested leave, and stated some points. Brother Ostrander moved an amendment, which was adopted. The vote on the previous question was then taken and carried. It was then moved to adopt the resolution as amended; voted and carried—153 to 34. It was then moved to adopt the preamble to the report; an amendment was moved and withdrawn. N. Bangs moved to take the previous question; carried. The question on the adoption of the preamble was then taken and carried—103 to 63.

On motion of A. Brunson, seconded by W. Arnold, an amendment was proposed, which was adopted. The whole report amended read thus, viz:

The report of this committee was made and adopted, May 23, as follows:

The committee to whom was referred the business of the negotiation with the delegates of the Canada Conference on the subject of our Book Concern, having had the same under their serious consideration, are of opinion that, in consideration of their former relation to us, and the friendly feeling and brotherly affection which now exist between the two connexions, as well as in view of the liberal and efficient support they have formerly given to the concern, an apportionment of the property of the concern ought to be made to them. But, as constitutional difficulties are believed to be in the way of such an appropriation by this conference, because they have not been instructed on this subject by their constituents, according to the proviso at the end of the restrictive regulations, they beg leave to submit, for the adoption of the conference, the following resolutions:

Resolved, That if three-fourths of all the members of the several annual conferences who shall be present and vote on the subject shall concur herein, and as soon as the fact of such concurrence shall be certified by the secretaries of the several annual conferences, then the book agents and Book Committee in New York shall be, and they are hereby, authorized and directed to settle with the agents of the Canada Conference on the following principles and preliminaries, namely:

1st. The dividend shall be made according to the proportion that the number of the travelling preachers in the Canada Conference bears to the number of the travelling preachers in the Methodist Episcopal Church in the United States, including in both estimates the superannuated preachers and those on trial.

2d. The amount of property to be divided shall be reckoned according to the first and largest estimate of stock in the late exhibit of the book agents, namely, $448,745 70½, deducting therefrom debts due from the concern, annuities, &c., estimated at $15,728 18, and the whole of the publishing fund, amounting to $16,928 28, making a total deduction (including credits to be allowed M. Ruter and C. Holiday) of $35,178 77, and leaving an amount to be divided of about $413,566 93½.

3d. That the Canada Conference shall receive a full proportion of the unsaleable and saleable stock, and of the bad as well as the good

2869.

debts, considering the stock and debts in Canada that belong to the Book Concern as so much of the dividend already paid, but to be estimated as forming a part of the general Book Concern, according to the manner of estimating the whole amount.

4th. When the adjustment shall have been made, according to the foregoing preliminaries, it shall be deemed a final settlement of all claims which the Canada Conference may be supposed to have on the Book Concern, or any other funds or property of the Methodist Episcopal Church in the United States, in virtue of their former relation to us.

Resolved, That our superintendents be, and they are hereby, respectfully requested to present the foregoing preamble and resolution to the annual conferences for their concurrence, as contemplated in the premises.

The committee beg leave also to submit the following resolution:

Resolved, &c., That, until the will of the annual conferences shall be ascertained, and a final settlement be made, the Canada Conference shall receive the same equal annual dividend of the profits of the Book Concern as heretofore.

5th. A motion for the adoption of this resolution was made, voted, and carried.

On motion, the secretary is hereby directed to furnish the delegates from Canada with a copy of the decision of this conference on that business.

The resolution was presented to the annual conferences, and the following was the result, (according to the minutes of the secretary of the committee to whom the business was referred at the General Conference of 1836:)

To the bishops and members of the General Conference of the Methodist Episcopal Church in the United States.

Reverend Fathers and Brethren: We rejoice to avail ourselves of this occasion to declare, in the words of the venerable Wesley in his last letter to America, "that the Methodists are one people in all the world, and that it is their full determination so to continue—

"'Though mountains rise, and oceans roll,
To sever us is vain."

In connexion with you, we were born and nourished; in connexion with you, we have labored and prospered; and from your example and liberality, and the counsels of two of your venerable bishops and several of your highly esteemed preachers, we have derived assistance and advantages which have enabled us greatly to extend the work of God in this new country, and the grateful recollection of which will never be effaced from our minds.

When the full period arrived in 1828, in which the welfare, harmony, and safety of our church rendered it expedient for us to be organized into a separate and independent body, you candidly took into consideration our local circumstances, and generously complied with our

wishes; and, at the same time, continued to us the expression of your kindness and liberality. That separation, however, was not on our part, any more than on yours, a separation of doctrine, of discipline, of motive, or of affection, but only of political, geographical, and ecclesiastical boundary. Still with you we were one in heart, in aim, in doctrine and discipline. Under the influence of this conviction and feeling, we sought to obtain a General Superintendent from your connexion, and made successive applications to no less than four members of your conference to fill that highly important office over us. But all our applications were unsuccessful, and our efforts to establish and settle our economy were fruitless. In this unsettled state of anxious suspense, we have been involved for the last five years, during which time we have been with difficulty, but mercifully, preserved from agitation, division, and encroachment. Providence has at length opened the way for the settlement of our economy upon a permanent foundation. By the large influx of British emigration to this province, and especially of persons who had been connected with Methodist societies and congregations in Great Britain and Ireland, the attention of the Wesleyan Missionary Committee in London was particularly attracted, and pressing appeals were made, to the Christian feelings and benevolence of the British Conference, from many of their former flocks, for a supply of those ordinances which they had enjoyed in the land of their fathers. These circumstances, together with the admitted and notorious fact of our inadequacy as a body, both in regard to men and means, to supply all the religious wants of the white settlements and Indian tribes, induced the Wesleyan Missionary Committee, about a year since, to determine on sending a number of missionaries into Upper Canada. For this purpose the committee sent the Rev. Robert Alder as their representative to this province, to inquire into its religious condition. Between Mr. Alder and this conference a negotiation was commenced, which has now resulted in a union between the Canadian and British connexion. This measure has been accomplished upon a principle of perfect equality, without any sacrifice of principle or independence on either side, and with merely those changes in one or two features of the prudential part of our economy, "which our local circumstances require," as stated and provided for in the articles of separation from your connexion in 1828. So that, without departing from either the letter or spirit of the resolutions of your body, in generously granting our request for a separation, we have, through the Divine blessing, been enabled to adopt a plan, the only and most efficient plan, by which divisions may be prevented among our own societies, and misunderstandings with others; a plan which will secure the unity of Methodism throughout the province, and bring to our assistance a large addition of means and men to carry on the work of the Lord among the white population and the Indian tribes of North America; a plan which has been adopted unanimously and cordially both by this and the British Conference.

In this providential and gracious opening we recognise the peculiar

hand of God, and we are persuaded you will rejoice with us in thus witnessing Methodism throughout the British empire, as throughout the United States, connected in a common bond of union, and sustained and extended under a common management. Nor are we in this necessary and beneficial arrangement the less united and grateful to you, as our fathers, brethren, and benefactors; and we devoutly hope that no circumstance will occur which may tend to weaken our mutual confidence and affection, in the final adjustment of those claims, the justice of which has been recognised and sanctioned by the majority of your body at two successive sessions.

We shall rejoice to co-operate with you, and to assist you with native laborers, as far as in our power, until, by the blessing of God, the western wildernesses shall be illuminated by the light of the Gospel, and the banners of the Lamb shall be unfurled to the Pacific ocean.

We enjoy perfect harmony and peace throughout all our borders, and great prosperity in many places. Our church members amount to 16,039, and the blessings of the Lord our God are abundantly upon us. We rejoice to hear of your great success, and most devoutly pray that you may go on prospering more and more.

By order and on behalf of the Conference of the Wesleyan Methodist Church in British North America.

(Signed,) GEORGE MARSDEN, *President*,
EGERTON RYERSON, *Secretary*.

YORK, UPPER CANADA, *October* 9, 1833.

Minutes of Committee.

CINCINNATI, OHIO, *May* 6, 1836.

Committee on Canada Claims met on Friday evening, May 6th, at the Preacher's office, Cincinnati. Committee consists of R. Payne, T. A. Morris, A. Griffith, M. Richardson, and C. Sherman. The whole committee present. C. Sherman chosen secretary. Rev. Mr. Lord presented to the committee a copy of the resolutions of the General Conference of 1828 and of 1832, on the subject of an appropriation from the Book Concern of the Methodist Episcopal Church to the Canada Conference, which was read. (See Doc. Nos. 1 and 2.) Copies of the resolutions of the annual conferences, concurring or non-concurring with the General Conference resolution, were then handed to the committee by Rev. B. Waugh, and read. (See Doc. No. 3.) The conferences concurring were as follow:

New England Conference, held June, 1832.....	Ayes	73	Noes	1
Maine Conference, held July 24, 1832.....	"	71	"	00
New Hampshire Conference, held August 8, 1832.....	"	71	"	00
Oneida Conference, held 1833.....	"	77	"	2
Genesee Conference, held July, 1832.....	"	69	"	1
New York Conference, held June 9, 1833.....	"	142	"	13
Six conferences. For concurrence.....		503	Against,	17

The conferences non-concurring were as follows:

Kentucky Conference, held October 22, 1832.	Non-concurring,	66	Concurring,	00
Indiana Conference, held October 17, 1832.	"	36	"	00
Pittsburgh Conference, held August 23, 1832.	"	61	"	6
South Carolina Conf., held April 22, 1833.	"	26	"	24
Mississippi Conference, held May 15, 1833.	"	15	"	7
Ohio Conference	"	62	"	28
Holstein Conference, held March 29, 1833.	"	34	"	8
Virginia Conference, held March 6, 1833.	"	84	"	00
Baltimore Conference, held April 5, 1833.	"	90	"	00
Philadelphia Conference, held April 24, 1833.	"	89	"	1
Missouri Conference	"	24	"	2
Georgia Conference	"	41	"	13
Alabama Conference	"	22	"	3
Illinois Conference	"	19	"	2
Tennessee Conference	"	72	"	2
Fifteen conferences non-concurring.	Number for....	741	Against..	96
		17		503
Whole number in the several conferences against		758	For.....	599
" " " " for		599		
Majority against granting Canada claims		159		

Brother Case then addressed the committee, making several remarks and statements in favor of the claims being answered. Committee was then addressed by brother Lord. After some information, obtained by brother Waugh, committee adjourned to meet again next Tuesday evening.

(Signed) C. SHERMAN, *Secretary.*

The report of the committee appointed upon the subject of the Canada claim was presented and adopted, May 19, as follows:

The committee to whom was referred the communication from the Conference of the Wesleyan Methodist Church in British North America, beg leave to report:

Your committee have given a serious, and they trust a candid, attention to the document referred to them. They have invited before them the President of the Canada Conference, the Rev. William Lord, and the delegate from Canada, the Rev. William Case, and have listened with pleasure to their remarks, and perused with close attention a communication purporting to set forth the grounds of these claims. But inasmuch as the last General Conference did distinctly avow that constitutional restrictions prohibited their action, and proceeded to lay the question before the several Annual Conferences, in order to obtain the decision of these primary bodies upon the subject, your committee were admonished that the task devolving upon them is limited to this single consideration, namely, have the Annual Conferences determined against the claims of the Canada Conference?

This point is determined by the votes of all the Annual Conferences, which, being properly authenticated, and having been carefully examined, stand as follows:

In favor of concurring with the General Conference of 1832	599
Against concurring	758
Whole number of votes taken	1,357

This statement shows that, instead of three fourths of the votes being in favor of obviating the constitutional restrictions, as the Discipline in such cases requires, a large majority have decided against it. And this decision your committee regard as final and conclusive against these claims.

But inasmuch as the General Conference have ever claimed and exercised the right to regulate the discount at which our books may be sold to wholesale purchasers, and with a view to an amicable and final arrangement of all the difficulties which have existed on this subject, and especially with a sincere desire to go as far as justice to the Methodist Episcopal Church will authorize, to encourage and perpetuate the friendly and fraternal feelings which should ever exist between the different members of the great Methodist family, the committee submit to the consideration, and for the adoption, of the General Conference the following arrangement, mutually agreed to by the delegates from Canada and the Book agents, and which we are assured will be satisfactory to our Canadian brethren, if sanctioned by this conference.

Whereas the Canada Conference, now in connexion with the Wesleyan Methodists of Great Britain, was formerly united to, and formed part of the Methodist Episcopal Church; and whereas the union, which by mutual consent then subsisted, was dissolved at the earnest and repeated solicitations of the ministers and members of the Church in Canada, which was definitively determined upon by an act of the Canada Conference, who thereupon and subsequently did form a union with, and become a part of, the Wesleyan Methodist Connexion; and whereas there has been a difference of opinion between the Methodist Episcopal Church and the Canada Conference in regard to the claim which has been urged by the Canada Conference, of an interest in, and a portion of, the Methodist Book Concern; and whereas the decision of the several annual conferences, to whom the subject was referred by the General Conference of 1832, has been adverse to the claim of the Canada Conference, and has thereby precluded any further action of the General Conference on the ground of claim, as made by the Canada Conference; but whereas this General Conference cherishes an affectionate remembrance of the Canada brethren, and is desirous to manifest its fraternal regard in every suitable way; and whereas the Canada Conference did, at its last session, appoint its president, the Rev. William Lord, and the Rev. Egerton Ryerson, delegates to this General Conference to negotiate its claims on the Book Concern, and the Rev. William Case having been duly appointed to take the place of Rev. E. Ryerson in the negotiation; and whereas the said Rev. William Lord, president of the Canada Conference, and the Rev. William Case, have full powers to bring to an amicable termination the question pending between the two connexions; therefore it is hereby declared to be mutually understood and agreed, that the following plan shall be considered as an arrangement for the full and final adjustment and settlement of the matter at issue between the Canada

Conference and the Methodist Episcopal Church, to wit: The agents of the Methodist Book Concern shall furnish to the book steward of the Canada Conference any of the books which may be issued from its press at the following rates, subject to the conditions and provisions hereinafter named:—

1. The general alphabetical catalogue books, whether in sheets or bound, shall be sold at forty per cent. discount from the retail prices, as long as the present discount of one-third shall be made to wholesale purchasers; but should the discount be hereafter changed to one-fourth, then, in that case, the books sold to the book steward of the Canada Conference shall be charged at a discount of one-third from the retail prices which shall from time to time be affixed to them respectively. Provided that this discount shall not apply to such books as may be reduced below the usual prices on account of rival publishers; and provided, also, that the Canada Conference shall give satisfactory security in regard to the payment of any debt which may be contracted with the Methodist Book Concern, within one year from the time such debt may be created. And it is also expressly understood and agreed, that no interest shall be demanded or paid on any such debts, unless payment shall be delayed beyond the period of credit before named, in which event interest shall be charged and paid from and after the expiration of said credit term. It is also further provided, that all books which may be ordered by the book steward of the Canada Conference shall be at the risk and expense of said conference, from the time they shall be forwarded from the Methodist Book Concern.

2. Sunday school books and tracts shall be furnished to the book steward of the Canada Conference at a premium of eighteen per cent., to be paid in general catalogue books at retail prices; and it is hereby declared to be understood and agreed, that the same provisions and conditions are to be adjudged applicable to Sunday school books and tracts as have been specified above in regard to books generally.

3. It is understood and agreed, that the privileges herein secured to the Canada Conference shall be binding on the Methodist Book Concern until the first day of May, 1852, next ensuing the present date: Provided, also, that the said Canada Conference shall regularly and truly make annual settlements to the satisfaction of the agents of the Methodist Book Concern, and not otherwise.

4. Finally, it is hereby mutually understood and agreed, that the foregoing arrangement is considered as a full, and definite, and satisfactory adjustment of the question which has arisen between the Canada Conference and the Methodist Episcopal Church on the subject of the Methodist Book Concern.

In testimony whereof, the agents of the Methodist Book Concern, and the delegates of the Canada Conference, have mutually affixed their respective signatures, this eighteenth day of May, 1836, in the city of Cincinnati, Ohio.

(Signed) B. WAUGH & T. MASON, *Agents.*
WILIAM LORD,
WILIAM CASE, *Dele's from Canada.*

May 23, 1832.—On motion of P. Akers, which was seconded, resolved, that a copy of the resolution of the last General Conference by which the Canada Conference was allowed to dissolve connexion with the Methodist Episcopal Church in the United States, and also a copy of the acts of this General Conference on Canada affairs, accompany the resolutions about to be presented to the annual conferences.

Extracts from the journals of the General Conferences of 1828, 1832, *and* 1836.

May 22, 1828.—W. Fisk, for the committee to which had been referred the subject of recommending to the annual conferences some alterations in the restrictive rules, reported. The time of adjournment being near, it was moved and seconded to extend the session until six o'clock, and the motion was lost. It was then resolved, on motion, to extend the session for fifteen minutes. During the discussion, the time of adjournment having nearly arrived, it was resolved, on motion, to extend it ten minutes. A division of the above report was called for; and, the question being taken on the first part, it was carried. The vote was then taken on the second and last part, and that was also carried.

And then the conference adjourned.

The following is the report referred to above:

The committee, to whom was referred the subject embraced in a resolution suggesting the propriety of providing for the alteration of one of the rules, commonly called the restrictive rules, beg leave to report the following resolution:

Resolved, That this General Conference respectfully suggest to the several annual conferences the propriety of recommending to the next General Conference so to alter and amend the rules of our Discipline, by which the General Conference is restricted in its powers to make rules and regulations for the Church, commonly called the restrictive rules, as to make the proviso at the close of the restrictive rules, No. 6, read thus:

Provided, nevertheless, That upon the concurrent recommendation of three-fourths of all the members of the several annual conferences who shall be present and vote on such recommendation, then a majority of two-thirds of the General Conference succeeding shall suffice to alter any such regulations excepting the first article.

And, also, whenever such alteration or alterations shall have first been recommended by two-thirds of the General Conference, so soon as three-fourths of the members of the annual conferences shall have concurred as aforesaid with such recommendation, such alteration or alterations shall take effect.

All which is respectfully submitted.

W. FISK, *Chairman.*

May 22, 1832.—The Committee on the Itinerancy beg leave to report the following, as the result of their deliberations on the subject recommended to them, viz:

I. Resolved, That this General Conference recommend to the several annual conferences, for their concurrence and adoption, as provided in the sixth article of the restrictive rules, the following resolution to amend the second article of the said restrictive rules:

II. Resolved, That the second article of the restrictive rules be so altered as to read:

"They shall not allow of more than one representative for every fourteen members of the annual conference, nor allow for less number than one for every thirty: Provided, nevertheless, That when there shall be in any annual conference a fraction of two-thirds the number which shall be fixed for the ratio of representation, such annual conference shall be entitled to an additional delegate for such fraction. And provided, also, that no conference shall be deprived the privilege of two delegates."

III. Resolved, That the secretary furnish each of the bishops with a copy of these resolutions, and they are hereby respectfully requested to present the same to the several annual conferences, or cause the same to be presented, at their next session, for their concurrence; and where the bishops, or any two of the bishops, shall have ascertained that three-fourths of all the members of the several annual conferences voting in the case have concurred with this General Conference, they shall certify the same, and cause such certificate to be printed in the minutes, and published three successive weeks in the Christian Advocate and Journal.

IV. Resolved, That the ratio of representation for the next General Conference be one for every fourteen, provided the annual conferences concur in the alteration as above recommended by this conference.

And that the Discipline, in section 3, answer 1 to question 2, on page 19, shall thereupon be so altered as to read:

"The General Conference shall be composed of one member for every fourteen members of each annual conference," &c.

1836.—The ratio of representation was altered to one for every twenty-one; and, to allow this, the second of the restrictive rules was changed to the following:

"2. They shall not allow of more than one representative for every fourteen members of the annual conference, nor allow of a less number than one for every thirty: Provided, nevertheless, That when there shall be in any annual conference a fraction of two-thirds the number which shall be fixed for the ratio of representation, such annual conference shall be entitled to an additional delegate for such fraction: And provided, also, That no conference shall be denied the privilege of two delegates."

Extracts from the journal of the General Conference of 1840.

May 2.—O. Scott, of the New England Conference, presented a petition from persons residing in New York on the subject of slavery.

On the presenting of this petition, J. Early moved the appointment of a standing Committee on Slavery, to whom all papers, petitions,

and memorials upon that subject shall be referred. Adopted. Ordered that the committee consist of twenty-eight members, one from each annual conference, and appointed by the respective delegations.

Friday, May 8.—E. Dorsey presented the memorial of the stewards and others of Westmoreland circuit, Baltimore Conference, complaining of the action of the Baltimore Annual Conference in refusing to elect to ordination local preachers, on the single ground of their being slaveholders.

The memorial was read, and ineffectual efforts made to procure other reference. After discussion it was, on motion, referred to a select committee of nine to consider and report thereon.

Wednesday, May 13.—On motion of J. A. Collins, the report of the Committee on the Judiciary, of 1836, in relation to a memorial from Westmoreland and Lancaster circuits, Baltimore Conference, was referred to the committee raised on the memorial from Westmoreland circuit to this conference.

Thursday, May 21.—N. Bangs, chairman of the Committee on Slavery, presented a report, which was read.

O. Scott stated that the minority of the committee had a report which they wished to present. Moved that the report of the majority be laid on the table for the present. Carried.

It was then moved that the report of the minority be read. After discussion, it was moved to lay this on the table. Carried.

On motion, the report of the committee on slavery was again taken up. The first resolution accompanying the report was read.

Moved to adjourn. Lost.

O. Scott, rising to speak, and intimating that he would probably extend his remarks beyond fifteen minutes, it was, on motion, resolved to suspend the rule restricting a speaker to fifteen minutes, so as to permit brother Scott to proceed at his own discretion.

Moved to adjourn. Lost.

After brother Scott had proceeded some time with his remarks, he gave way for a motion to adjourn, which prevailed, and conference adjourned to meet to-morrow morning, at half-past eight o'clock.

Friday morning, May 22.—Conference proceeded to the consideration of the unfinished business of yesterday, it being the first resolution accompanying the report of the committee on slavery. The discussion was renewed.

On motion conference resolved, that when it adjourn it adjourn to meet this afternoon, at three o'clock.

During the debate, brother Crowder being on the floor, and having spoken fifteen minutes, a motion was made that he have liberty to proceed with and conclude his remarks. For this a substitute was moved in these words, that the rule restricting speaking to fifteen minutes be suspended during the discussion of the subject before the conference. Lost.

The question recurring upon the original motion, it was withdrawn by the mover, but was immediately renewed and adopted.

Extract from address of the Bishops to the General Conference of the Methodist Episcopal Church.

In a body so numerous as the Methodist connexion, embracing twenty-eight Annual Conferences, extended over these United States and territories, and connected with different civil and domestic institutions, it is hardly expected that all should see "eye to eye" relative to the meaning and administration of the Discipline of the Church, or the fitness and expediency of measures which may be adopted in conformity to such a state of things.

It has been the constant aim and united endeavor of your general superintendents to preserve uniformity and harmony in these respects; and, as far as practicable, prevent conflicting action in all the official bodies in the Church. But although we record, with unfeigned gratitude to the God of all grace and consolation, the general peace, and harmony, and prosperity of the body since your last session, it becomes our painful duty to lay before you some exceptions to this happy and prosperous condition.

At the last session of the General Conference the subject of slavery and its abolition was extensively discussed, and vigorous exertions made to effect new legislation upon it. But after a careful examination of the whole ground, aided by the light of past experience, it was the solemn conviction of the Conference that the interests of religion would not be advanced by any additional enactments in regard to it.

In your pastoral address to the ministers and people at your last session, with great unanimity, and, as we believe, in the true spirit of the ministers of the peaceful gospel of Christ, you solemnly advised the whole body to abstain from all abolition movements, and from agitating the exciting subject in the Church. This advice was in perfect agreement with the individual as well as associated views of your superintendents. But, had we differed from you in opinion, in consideration of the age, wisdom, experience, and official authority of the General Conference, we should have felt ourselves under a solemn obligation to be governed by your counsel. We have endeavored, both in our official administration and in our private intercourse with the preachers and members, to inculcate the sound policy and Christian spirit of your pastoral address. And it affords us great pleasure to be able to assure you that our efforts in this respect have been very generally approved, and your advice cordially received and practically observed in a very large majority of the Annual Conferences, as will more fully appear to you on the careful examination of the journals of those bodies for the last four years. But we regret that we are compelled to say, that in some of the Northern and Eastern Conferences, in contravention of your Christian and pastoral counsel, and of your best efforts to carry it into effect, the subject has been agitated in such forms, and in such a spirit, as to disturb the peace of the church. This unhappy agitation has not been confined to the Annual Conferences, but has been introduced into quarterly conferences, and made the absorb-

ing business of self created bodies in the bosom of our beloved Zion. The professed object of all these operations is to free the Methodist Episcopal Church from the "great moral evil of slavery," and to secure to the enslaved the rights and privileges of free citizens of these United States. How far the measures adopted, and the manner of applying those measures, are calculated to accomplish such an issue, even if it could be effected by any action of ecclesiastical bodies, your united wisdom will enable you to judge.

We cannot, however, but regard it as of unhappy tendency that either individual members or official bodies in the Church should employ terms, and pass resolutions of censure and condemnation on their brethren, and on public officers and official bodies, over whose actions they have no legitimate jurisdiction. It requires no very extensive knowledge of human nature to be convinced that, if we would convert our fellow men from the error of their ways, we must address them, not in terms of crimination and reproach, but in the milder language of respect, persuasion, and kindness.

It is justly due to a number of the Annual Conferences in which a majority, or a very respectable minority, of the members are professedly abolitionists, to say, that they occupy a very different ground, and pursue a very different course from those of their brethren who have adopted ultra principles and measures in this unfortunate, and, we think, unprofitable controversy. The result of action had in such conferences on the resolution of the New England Conference, recommending a very important change in our general rule on slavery, is satisfactory proof of this fact, and affords us strong and increasing confidence that the unity and peace of the Church are not to be materially affected by this exciting subject. Many of the preachers who were favorably disposed to the cause of abolition, when they saw the extent to which it was designed to carry these measures, and the inevitable consequence of their prosecution, came to a pause, reflected, and declined their co-operation. They clearly perceived that the success of the measures would result in the division of the Church; and for such an event they were not prepared. They have no disposition to criminate their brethren in the South, who are unavoidably connected with the institution of slavery, or to separate from them on that account. It is believed that men of ardent temperament, whose zeal may have been somewhat in advance of their knowledge and discretion, have made such advances in the abolition enterprise as to produce a reaction. A few preachers and members, disappointed in their expectations, and despairing of the success of their cause in the Methodist Church, have withdrawn from our fellowship, and connected themselves with associations more congenial with their views and feelings; and others, in similar circumstances, may probably follow their example. But we rejoice in believing that these secessions will be very limited, and that the great body of Methodists in these States will continue, as they have been, one and inseparable. The uniformity and stability of our course should be such as to let all candid and thinking men see that the cause

of secessions from us is not a change of our doctrine or moral discipline, no imposition of new terms of communion, no violation of covenant engagements on the part of the Church. It is a matter worthy of particular notice, that those who have departed from us do not pretend that any material change in our system, with respect either to doctrine, discipline, or government, has taken place since they voluntarily united themselves with us. And it is ardently to be desired that no such innovation may be effected, as to furnish any just ground for such a pretension.

The experience of more than half a century, since the organization of our ecclesiastical body, will afford us many important lights and landmarks, pointing out what is the safest and most prudent policy to be pursued in our onward course as regards African slavery in these States, and especially in our own religious community. This very interesting period of our history is distinguished by several characteristic features, having a special claim to our consideration at the present time, particularly in view of the unusual excitement which now prevails on the subject, not only in the different Christian churches, but also in the civil body. And, first, our general rule on slavery, which forms a part of the constitution of the church, has stood from the beginning unchanged, as testamentary of our sentiments on the principle of slavery and the slave trade. And in this we differ in no respect from the sentiments of our venerable founder, or from those of the wisest and most distinguished statesmen and civilians of our own and other enlightened and Christian countries. Secondly, in all the enactments of the church relating to slavery, a due and respectful regard has been had to the laws of the States, never requiring emancipation in contravention of the civil authority, or where the laws of the States would not allow the liberated slave to enjoy his freedom. Thirdly, the simply holding or owning slaves, without regard to circumstances, has at no period of the existence of the church subjected the master to excommunication. Fourthly, rules have been made, from time to time, regulating the sale, and purchase, and holding of slaves, with reference to the different laws of the States where slavery is tolerated; which, upon the experience of the great difficulties of administering them, and the unhappy consequences both to masters and servants, have been as often changed or repealed. These important facts, which form prominent features of our past history as a church, may very properly lead us to inquire for that course of action in future, which may be best calculated to preserve the peace and unity of the whole body, promote the greatest happiness of the slave population, and advance generally, in the slaveholding community of our country, the humane and hallowing influence of our holy religion. We cannot withhold from you, at this eventful period, the solemn conviction of our minds, that no new ecclesiastical legislation on the subject of slavery, at this time, will have a tendency to accomplish these most desirable objects. And we are fully persuaded that, as a body of Christian ministers, we shall accomplish the greatest good by directing our individual and united efforts, in the

spirit of the first teachers of Christianity, to bring both master and servant under the sanctifying influence of the principles of that gospel which teaches the duties of every relation, and enforces the faithful discharge of them by the strongest conceivable motives. Do we aim at the amelioration of the condition of the slave? How can we so effectually accomplish this, in our calling as ministers of the gospel of Christ, as by employing our whole influence to bring both him and his master to a saving knowledge of the grace of God, and to a practical observance of those relative duties so clearly prescribed in the writings of the inspired Apostles? Permit us to add, that, although we enter not into the political contentions of the day, neither interfere with civil legislation, nor with the administration of the laws, we cannot but feel a deep interest in whatever affects the peace, prosperity, and happiness of our beloved country. The union of these States, the perpetuity of the bonds of our national confederation, the reciprocal confidence of the different members of the great civil compact; in a word, the well-being of the community of which we are members, should never cease to lie near our hearts, and for which we should offer up our sincere and most ardent prayers to the Almighty Ruler of the universe. But can we, as ministers of the gospel, and servants of a Master "whose kingdom is not of this world," promote these important objects in any way so truly and permanently as by pursuing the course just pointed out? Can we, at this eventful crisis, render a better service to our country, than by laying aside all interference with relations authorized and established by the civil laws, and applying ourselves wholly and faithfully to what specially appertains to our "high and holy calling," to teach and enforce the moral obligations of the gospel, in application to all the duties growing out of the different relations in society? By a diligent devotion to this evangelical employment, with an humble and steadfast reliance upon the aid of divine influence, the number of "believing masters" and servants may be constantly increased, the kindest sentiments and affections cultivated, domestic burdens lightened, mutual confidence cherished, and the peace and happiness of society be promoted. While, on the other hand, if past history affords us any correct rules of judgment, there is much cause to fear that the influence of our sacred office, if employed in interference with the relation itself, and consequently with the civil institutions of the country, will rather tend to prevent than to accomplish these desirable ends.

From address of the British Conference to the bishops and members of the General Conference of the Methodist Episcopal Church in the United States of America.

But while we freely indulge in sentiments such as these, we cannot forget that on one subject especially—the subject of American slavery—you, our beloved brethren, are placed in circumstances of painful trial and perplexity. We enter, with brotherly sympathy, into the peculiar situation which you are now called to occupy. But on this question we beg to refer you to what occurs in our address to you from the conference

of 1836, a proper copy of which will be handed to you by our representative; as also to the contents of our preceding letter of 1835. To the principles which we have affectionately but honestly declared in these two documents we still adhere, with a full conviction of their Christian truth and justice.

The time which has elapsed, and the events which have taken place, since the preparation of the above mentioned papers, serve only to confirm us yet more in our views of the moral evil of slavery. Far be it from us to advocate violent and ill-considered measures. We are, however, strongly and unequivocally of opinion that it is, at this time, the paramount Christian duty of the ministers of our most merciful Lord in your country to maintain the principle of opposition to slavery with earnest zeal and unflinching firmness. May we not also be allowed, with the heart-felt solicitude of fraternal love, to entreat that you will not omit or qualify the noble testimony which we have extracted, in a note to our address, from your Book of Discipline, but that you will continue to insert it there in its primitive and unimpaired integrity.

From address of the General Conference to the British Conference.

We have considered, with affectionate respect and confidence, your brotherly suggestions concerning slavery, and most cheerfully return an unreserved answer to them. And we do so the rather, brethren, because of the numerous prejudicial statements which have been put forth in certain quarters to the wounding of the Church. We assure you then, brethren, that we have adopted no new principle or rule of discipline respecting slavery since the time of our apostolic Asbury; neither do we mean to adopt any.

In our General Rules, (called the "General Rules of the United Societies," and which are of constitutional authority in our church,) "the buying and selling of men, women, and children, with an intention to enslave them," is expressly prohibited; and in the same words, substantially, which have been used for the rule since 1792. And the extract of part ii, section 10, of our Book of Discipline, which you quote with approbation, and denominate "a noble testimony," is still of force to the same extent that it has been for many years; nor do we entertain any purpose to omit or qualify this section, or any part thereof. For, while we should regard it a sore evil to divert Methodism from her proper work of "spreading Scripture holiness over these lands," to questions of temporal import, involving the rights of Cæsar, yet are we not the less minded on that account to promote and set forward all humane and generous actions, or to prevent, to the utmost of our power, such as are evil and unchristian. It is our first desire, after piety towards God, to be "merciful after our power; as we have opportunity, doing good of every possible sort, and as far as possible, to all men"—"to their bodies," but especially, and above all, "to their souls."

Of these United States, (to the Government and laws of which,

"according to the division of power made to them by the Constitution of the Union, and the constitutions of the several States," we owe, and delight to render, a sincere and patriotic loyalty,) there are several which do not allow of slavery. There are others in which it is allowed, and there are slaves; but the tendency of the laws, and the minds of the majority of the people, are in favor of emancipation. But there are others in which slavery exists so universally, and is so closely interwoven with their civil institutions, that both do the laws disallow of emancipation, and the great body of the people (the source of laws with us) hold it to be treasonable to set forth any thing, by word or deed, tending that way. Each one of all these States is independent of the rest, and sovereign, with respect to its internal government, (as much so as if there existed no confederation among them for ends of common interest,) and, therefore, it is impossible to frame a rule on slavery proper for our people in all the States alike. But our church is extended through all the States, and, as it would be wrong and unscriptural to enact a rule of discipline in opposition to the constitution and laws of the State on this subject, so also would it not be equitable or Scriptural to confound the positions of our ministers and people (so different as they are in different States) with respect to the moral question which slavery involves.

Under the administration of the venerated Dr. Coke, this plain distinction was once overlooked, and it was attempted to urge emancipation in all the States; but the attempt proved almost ruinous, and was soon abandoned by the Doctor himself. While, therefore, the Church has encouraged emancipation in those States where the laws permit it, and allowed the freed man to enjoy freedom, we have refrained, for conscience sake, from all intermeddling with the subject in those other States where the laws make it criminal. And such a course we think agreeable to the Scriptures, and indicated by St. Paul's inspired instruction to servants in his First Epistle to the Corinthians, chap. vii, ver. 20, 21. For if servants were not to care for their servitude when they might not be free, though if they might be free they should use it rather; so, neither should masters be condemned for not setting them free when they might not do so, though if they might they should do so rather. The question of the evil of slavery, abstractedly considered, you will readily perceive, brethren, is a very different matter from a principle or rule of Church discipline to be executed contrary to, and in defiance of, the law of the land. Methodism has always been (except perhaps in the single instance above) eminently loyal and promotive of good order; and so we desire it may ever continue to be, both in Europe and America. With this sentiment we conclude the subject, adding only the corroborating language of your noble Missionary Society, by the revered and lamented Watson, in their instructions to missionaries, published in the report of 1833, as follows:

"As in the colonies in which you are called to labor a great proportion of the inhabitants are in a state of slavery, the committee most strongly call to your remembrance what was so fully stated to you

when you were accepted as a missionary to the West Indies, that your only business is to promote the moral and religious improvement of the slaves to whom you may have access, without in the least degree, in public or private, interfering with their civil condition."

May 28.—W. Capers, chairman of the Committee on the Address from the Wesleyan Methodist Connexion, made a report, accompanied with letters to the British and Canada Conferences, which were read. Moved to adopt the report and letters. (See Appendix, documents B and C.)

O. Scott called for a division on adopting the letter to the British Conference. H. Slicer moved to recommit the report. Lost. J. T. Mitchell offered the following resolution, which was adopted: "Resolved, That the committee revise the letter to the British Conference, so as to refer to our literary institutions, and to the interchange of representatives."

The question was then taken on adopting the report of the committee.

1. On the letter to the British Wesleyan Conference, a division was called for; and, on motion, that part which does not refer to slavery was adopted. That part relating to slavery was also adopted; one hundred and fourteen voting in the affirmative, and eighteen in the negative.

Wednesday, June 3.—H. B. Bascom, chairman of the Committee on the Petition from Westmoreland, Va., presented a report, which was read and adopted.

Report on the Westmoreland Petition.

The committee, to whom was referred the memorial and appeal of some fifteen official members of the Methodist Episcopal Church in Westmoreland circuit, Baltimore Conference, on the subject of alleged withholdment of right from a portion of the local ministry within the limits of that conference, and to whom was likewise referred the report of the Judiciary Committee upon a similar remonstrance from the same division of the Baltimore Conference, signed by about thirty official members of the church, and addressed to the General Conference in 1836, after giving to the subject the attention its obvious importance demands, beg leave to report the following as the result of their deliberations:

The particular portion, or rather general section, of country in which these remonstrances have their origin, although belonging to the Baltimore Conference, is found within the limits of the State of Virginia; and the memorialists represent in strong but respectful terms, that local preachers within the jurisdiction of the Baltimore Conference, but residing in the Commonwealth of Virginia, have, in considerable numbers, and for a succession of years, been rejected as applicants for deacons' and elders' orders in the ministry, solely on the ground of their being slaveholders or the owners of slaves. In the memorials referred

to it is distinctly stated, that election and ordination have been withheld from the applicants in question on no other ground or pretence than that of their being the owners of slave property; and it is further argued that the Baltimore Conference avows this to be the only reason of the course they pursue, and which is complained of by the petitioners.

The appellants allege further, that the laws of Virginia relating to slavery forbid emancipation, except under restrictions, and subject to contingencies amounting, to all intents and purposes, to a prohibition; and that the Discipline of the church having provided for the ordination of ministers thus circumstanced, the course pursued by the Baltimore Conference operates as an abridgment of right, and therefore furnishes just ground of complaint. The memorialists regard themselves as clearly entitled to the protection of the well known provisional exception to the general rule on this subject, found in the Discipline; and assume with confidence, and argue with firmness and ability, that no other objection being found to the character of candidates for ordination, it is a departure from the plain intendment of the law in the case, and a violation of not less express compact than of social justice, to withhold ordination for reasons which the provisions of the law plainly declare are not to be considered as a forfeiture of right. It is set forth in the argument of the appellants that, attaching themselves to the church as citizens of Virginia, where, in the obvious sense of the Discipline, emancipation is impracticable, the holding of slaves, or failure to emancipate them, cannot be plead in bar to the right of ordination, as is the case in States where emancipation, as defined and qualified by the rule in the case, is found to be practicable. In the latter case the question is within the jurisdiction of the church, inasmuch as the holding or not holding of property of this kind depends, not upon the constitution and regulation of civil property, but upon the will and purpose of individuals. Under such circumstances the conduct in question is voluntary, and in every final sense the result of choice. In the former, however, where emancipation is resisted by the prohibition of law, it may be otherwise; and in many instances is known to be resulting entirely from the involuntary relations and circumstances of individuals connected with the very structure of civil polity, and the force and array of public opinion and popular interest.

The memorialists advert to the fact that we have, in the Discipline, two distinct classes of legislative provision in relation to slavery—the one applying to owners of slaves where emancipation is practicable, consistently with the interests of master and slaves, and the other where it is impracticable, without endangering such safety and these interests on the part of both. With the former, known as the general rule on this subject, the petitioners do not interfere in any way, and are content simply to place themselves under the protection of the latter, as contracting parties with the church; and the ground of complaint is, that the church has failed to redeem the pledge of its own laws, by refusing or failing to promote to office ministers in whose case no disa-

bility attaches on the ground of slavery, because the disability attaching in other cases is here removed by special provision of law, and so far leaves the right to ordination clear and undoubted; and hence the complaint against the Baltimore Conference.

In further prosecution of the duty assigned them, your committee have carefully examined the law, and inquired into the system of slavery as it exists in Virginia, and find the representation of the memorialists essentially correct. The conditions with which emancipation is burdened in that Commonwealth, preclude the practicability of giving freedom to slaves, as contemplated in the Discipline, except in extremely rare instances, say one in a thousand, and possibly not more than one in five thousand. The exception in the Discipline is therefore strictly applicable to all the ministers and members of the Methodist Episcopal Church holding slaves in Virginia, and they appear clearly entitled to the benefit of the rule made and provided in such cases.

As emancipation under such circumstances is not a requirement of Discipline, it cannot be made a condition of eligibility to office. An appeal to the policy and practice of the church for fifty years past will show, incontestibly, that, whatever may have been the convictions of the church with regard to this great evil—the nature and tendency of the system of slavery—it has never insisted upon emancipation in contravention of civil authority; and it therefore appears to be a well-settled and long-established principle in the polity of the church, that no ecclesiastical disabilities are intended to ensue either to the ministers or members of the church in those States where the civil authority forbids emancipation. The general rule, therefore, distinctly and invariably requiring emancipation as the ground of right, and the condition of claim to ordination where the laws of the several States admit of emancipation, and permit the liberated slave to enjoy freedom, and which, in the judgment of your committee, should always be carried into effect with unyielding firmness, does not apply to your memorialists, and cannot, by any fair construction of law, affect their rights.

On the other hand, your committee have given the most careful consideration to the position of the Baltimore Conference complained of by the appellants. The journals of the several sessions of the Baltimore Conference, for a series of years, have been carefully examined, and found to be silent on the subject of the rejections in question, except the single statement that A, B, and C, from time to time, applied for admission or orders, and were rejected. We find no rule or reason of action, no evidence of preconcertion, no grounds or reasons of rejection, stated in any form, directly or indirectly. Nothing of this kind is avowed in, or found upon, the face of the journals of that body. The charge of particular motives, it occurs to your committee, cannot be sustained in the instance of a deliberative body, say the Baltimore Conference, unless it appears in evidence that the motives have been avowed by a majority of the Conference; and it is not in proof that the Conference has ever had an action to this effect, whatever may have been the declaration of individuals sustaining the charge of the appel-

lants. The fact charged without reference to motives, that there had been a long list of rejections, both as it regards admission into the travelling connexion and ordination, until the exception seems to be made a general rule, is undoubtedly true, and is not denied by the defendants. The evidence, however, in relation to specific reasons and motives is defective, and does not appear to sustain the charge of a contravention of right by any direct accredited action of the Baltimore Conference had in the premises.

That this view of the subject presents a serious difficulty is felt by your committee, and must be so by all. The rule applicable in this case allows an Annual Conference to elect under the circumstances; but does not, and, from the very nature and ubiquity of the case, cannot, require it. Among the unquestioned constitutional rights of our Annual Conferences is that of acting freely, without any compulsory direction, in the exercise of individual franchise. Election here is plainly an assertion of personal right on the part of the different members composing the body, with regard to which the claim to question or challenge motives does not belong even to the General Conference, unless the result has turned upon avowed considerations unknown to the law and rule in the case. The journal of the Conference is the only part of its history of which this body has cognizance, and to extend such cognizance to the reasons and motives of individual members of Conferences not declared to be the ground of action by a majority, would be to establish a rule at once subversive of the rights and independence of Annual Conferences. In the very nature of the case an Annual Conference must possess the right of free and uncontrolled determination, not only in the choice of its members, but in all its elections; and, keeping within the limits and restrictions of its charter as found in the Discipline, can only be controlled in the exercise of such right by moral and relative considerations connected with the intelligence and interests of the body.

The memorialists prayed the last General Conference, and they again ask this, to interfere authoritatively, by change or construction of rule, so as to afford relief; and, in failure to do so, in the memorial of 1836, they ask to be set off to the Virginia Conference as the only remaining remedy. In their present petition they are silent on the subject of a transfer to Virginia. Under all the circumstances of the case, and taking into the account the probabilities of future action in the premises, your committee cannot but regard this as the only conclusive remedy. But how far this may be considered as relatively practicable, or whether advisable, in view of all the interests involved, the committee have no means of determining, and therefore leave it to the judgment of those who have. That the petitioners, in accordance with the provisions of the Discipline, whether said provisions be right or wrong, are entitled to remedy, your committee cannot for a moment doubt, inasmuch as they are laboring, and have been for years, under practical disabilities actually provided against by the Discipline of the church. The alleged grievance is by the petitioners themselves re-

garded as one of administration, not of law. No change of legislation is asked for, unless this body prefer it; and it does not appear to your committee to be called for by any view of the subject they have been able to take.

Your committee are unwilling to close this brief view of the subject without anxiously suggesting that, as it is one of the utmost importance and intense delicacy in its application and bearings throughout our entire country, involving in greater or less degree the hopes and fears, the anxieties and interests of millions, it must be expected that great variety of opinions and diversity of conviction and feeling will be found to exist in relation to it, and most urgently call for the exercise of mutual forbearance and reciprocal good will on the part of all concerned. May not the principles and causes giving birth and perpetuity to great moral and political systems or institutions be regarded as evil, even essentially evil, in every primary aspect of the subject, without the implication of moral obliquity on the part of those involuntarily connected with such systems and institutions, and providentially involved in their operation and consequences? May not a system of this kind be jealously regarded as in itself more or less inconsistent with natural right and moral rectitude, without the imputation of guilt and derelict motive, in the instance of those who, without any choice or purpose of their own, are necessarily subjected to its influence and sway?

Can it be considered as just or reasonable to hold individuals responsible for the destiny of circumstances over which they have no control? Thus conditioned in the organic arrangements and distributions of society, is there any necessary connexion between the moral character of the individual and that of the system? In this way the modifying influence of unavoidable agencies or circumstances in the formation of character is a well-known principle, and one of universal recognition in law, morals, and religion, and upon which all administration of law, not unjust and oppressive, must proceed. And your committee know no reason why the rule is inapplicable, or should not obtain, in relation to the subject of this report. In conclusion, your committee would express the deliberate opinion that, while the general rule on the subject of slavery, relating to those States only whose laws admit of emancipation, and permit the liberated slave to enjoy freedom, should be firmly and constantly enforced, the exception to the general rule, applying to those States where emancipation, as defined above, is not practicable, should be recognised and protected with equal firmness and impartiality. The committee respectfully suggest to the conference the propriety of adopting the following resolution:

Resolved by the delegates of the several Annual Conferences in General Conference assembled, That under the provisional exception of the general rule of the church on the subject of slavery, the simple holding of slaves, or mere ownership of slave property, in States or Territories where the laws do not admit of emancipation, and permit the liberated slave to enjoy freedom, constitutes no legal barrier to the election or ordination of ministers to the various grades of office known

in the ministry of the Methodist Episcopal Church, and cannot therefore be considered as operating any forfeiture of right in view of such election and ordination.

Extracts from the Journal of the General Conference of 1844.

THE CASE OF F. A. HARDING.

Saturday, May 4, 1844.—J. A. Gere presented the appeal of Francis A. Harding, of the Baltimore Conference; which, on motion, the Conference made the special order for Tuesday next.

Tuesday, May 7.—On motion, the rule of business was suspended to take up the special order of the day, viz.: The appeal of Francis A. Harding, of the Baltimore Conference.

J. Early announced that the appellant was present, and had spoken to W. A. Smith, of the Virginia Conference, to act as his representative, in presenting and prosecuting the appeal.

The journal of the Baltimore Conference, unfolding its action in regard to the appellant, and from which he appeals, was read by the Secretary. From this it appeared that F. A. Harding had been suspended from his ministerial standing for refusing to manumit certain slaves which came into his possession by his marriage. On motion of S. Luckey and J. B. Finley, the appeal was admitted and entertained.

W. A. Smith, in behalf of the appellant, made a statement, and argued the case until near the hour of adjournment. When he had concluded, J. A. Collins moved that the case be postponed, and made the special order for to-morrow, to be taken up immediately after the reading of the journal. Adopted.

Wednesday, May 8.—On motion, the journal of yesterday was so amended as to read, "the order of business according to the rule was suspended, to take up the order of the day, viz., the appeal of F. A. Harding." The journal as amended was approved and confirmed.

The consideration of the appeal case before the Conference yesterday was resumed.

J. A. Collins, in behalf of the Baltimore Conference in this case, addressed the Conference in reply to W. A. Smith, and in defence of the action of the Baltimore Conference, until eleven o'clock. H. Slicer, A. Griffith, and T. B. Sargent, were also heard for the Baltimore Conference.

When the delegates of the Baltimore Conference had spoken, place was given to the representative of the appellant to rejoin. At this point J. Early moved that the further consideration of this case be postponed until to-morrow morning at ten o'clock, and that it be made the special order for that time. J. A. Collins moved to amend, by inserting, instead of ten o'clock, "immediately after the reading of the journal." This was lost. N. Rounds moved to amend by inserting "three o'clock to-morrow afternoon." J. A. Collins moved further to amend by inserting this afternoon. As a substitute, W. Capers moved, that the Conference attend to this business to-morrow morning, immediately

after reading the journal. W. M'Mahan moved, that when the Conference adjourn, it adjourn to meet the American Bible Society to-morrow morning at ten o'clock. This motion was laid on the table. Finally, at fifteen minutes before one o'clock, E. R. Ames moved that Conference do now adjourn; which motion was adopted, and Conference separated after prayer by brother Spaulding..

Friday, May 10.—The appeal of F. A. Harding was resumed. By consent of W. A. Smith, the representative of the appellant, J. A. Collins, who acted in behalf of the Baltimore Conference, was allowed to make a further response for the Baltimore Conference to the statement and defence of W. A. Smith. He spoke until within five minutes of eleven o'clock.

When W. A. Smith was about to reply, Conference, on motion of T. Crowder, resolved to prolong the session until he should have concluded his rejoinder.

W. A. Smith, on behalf of the appellant, was then heard in reply to the representative of the Baltimore Conference. He spoke until after one o'clock; and the pleadings on both sides were closed.

Saturday, May 11.—On motion of E. R. Ames, the rules of Conference were suspended for the purpose of taking up the appeal of F. A. Harding. W. A. Smith came forward, when the appeal was resumed, and asked leave to make further statements in regard to the appellant. A motion to grant leave was offered and carried. When the conference had heard Mr. Smith, J. Early offered the following resolution, viz :

Resolved, That the act of the Baltimore Annual Conference, by which F. A. Harding was suspended from his ministerial functions, be, and the same is hereby, reversed.

The yeas and nays were called for, and ordered by a vote of conference; and the Secretary proceeded to call the list by conferences, in the order in which they stand in the Discipline, in the chapter on Boundaries. The Secretaries reported the vote as follows: Nays 117, against reversing the decision of the Baltimore Conference; and 56 yeas in favor of reversing that decision.

The following are the names of those who voted in the negative :

New York Conference—Rice, Carpenter, G. Peck, Stratten, Sandford, F. Reed, Ferguson, Martindale, Richardson. Providence—Lovejoy, Upham, Benton, Townsend. New England—J. Porter, King, Crandall, C. Adams, Pickering. Maine—Hill, E. Robinson, Randall, Morse, Hobart, Nickerson, Webber. New Hampshire—E. Scott, Chamberlain, Kelley, Perkins, Spaulding, Cahoon, Cass. Troy—Seymour, Wever, Covel, Spicer, Coleman, Houghtaling, J. T. Peck. Black River—A. D. Peck, A. Adams, Baker, Ninde. Oneida—Snyder, Comfort, Rounds, Shepherd, Row, Bowen, Holmes. Genesee—Filmore, Luckey, Steele, Hibbard, Seager, Abell, Hosmer, Alverson. Erie—Steadman, Bain, G. W. Clark, J. Robinson, Goodwin. Pittsburgh—W. Hunter, H. J. Clark, Spencer, S. Elliott, Boyd, Wakefield, Drummond. Ohio—C. Elliott, Raper, Sehon,

Trimble, Finley, Hamline, Connell, Ferree. North Ohio—Thompson, Power, Poe, Yocum, Runnells. Michigan—G. Smith, Crane, Billings, Baughman. Indiana—Simpson, Wiley, Ames, Miller, Ruter, Wood, Eddy, Havens. Rock River—Weed, H. W. Reed, Mitchell. Illinois—Cartwright, Vancleve. Missouri—J. M. Jamieson. Texas—J. Clark. Baltimore—Slicer, Griffith, Bear, Morgan, Tippett, Sargent, Collins, Davis, Gere, Hildt. Philadelphia—Durbin, T. J. Thompson. New Jersey—Winner, J. S. Porter, Shaw—117.

The following are the names of those who voted affirmatively:

Rock River—Sinclair. Illinois—Akers, Stamper, N. G. Berryman. Missouri—Redman, W. Patton, J. C. Berryman. Kentucky—Bascom, Gunn, Kavanaugh, Stephenson, Crouch, Brush. Holston—Sevier, S. Patton, Stringfield. Tennessee—M'Ferrin, Green, Madden. Memphis—Harris, Moody, M'Mahan, Joyner. Arkansas—J. C. Parker, Ratcliffe, A. Hunter. Texas—Fowler. Mississippi—Winans, Drake, Lane, Rogers. Alabama—Murrah, Boring, Garrett, Hamilton. Georgia—L. Pierce, G. F. Pierce, Parks, Glenn, Evans, Longstreet. South Carolina—Capers, Wightman, Betts, Walker. North Carolina—J. Jamieson, Doub. Virginia—Early, Lee, W. A. Smith, Crowder. Philadelphia—White, I. T. Cooper, W. Cooper. New Jersey—Neal, Sovereign—56.

When S. Olin's name was called, he asked to be excused from voting on this question, because indisposition had prevented him from hearing the whole case. He was, on motion, excused.

J. A. Gere also asked to be excused from voting, because he had once sat in judgment on the case, and had been called upon as a witness. He was not excused.

It appeared, on calling the list, that J. G. Dow, R. Paine, and L. Scott were absent.

N. Bangs and S. Dunwody were reported sick.

So the motion to reverse the act of the Baltimore Annual Conference was lost by the above vote of 117 to 56.

The chair decided that this vote virtually affirmed the action of the Baltimore Annual Conference in suspending Francis A. Harding from his ministerial standing. W. Capers took an appeal from the decision of the chair. The appeal was put, and the decision of the chair sustained, by a vote of 111 for sustaining the decision, and 53 against sustaining it. So the vote virtually affirmed the action of the Baltimore Conference on suspending F. A. Harding.

The case of Bishop Andrew.

Monday, May 20.—J. A. Collins offered the following resolution, which was adopted, viz:

Whereas it is currently reported, and generally understood, that one of the Bishops of the Methodist Episcopal Church has become connected with slavery; and whereas it is due to this General Conference to have a proper understanding of the matter; therefore,

Resolved, That the Committee on the Episcopacy be instructed to ascertain the facts in the case, and report the results of their investigation to this body to-morrow morning.

JOHN A. COLLINS,
J. B. HOUGHTALING.

Tuesday, May 21.—The Committee on Episcopacy presented a further report, No. 3, which was read; and, on motion of J. A. Collins, laid on the table, to be the order of the day for to-morrow.

Wednesday, May 22.—As no reports from select committees were offered, on motion of A. Griffith, Conference proceeded to consider the order of the day, viz., the report, No. 3, of the Committee on Episcopacy. It reads as follows:

The Committee on Episcopacy, to whom was referred a resolution, submitted yesterday, instructing them to inquire whether any one of the superintendents is connected with slavery, beg leave to present the following as their report on the subject:

The committee had ascertained, previous to the reference of the resolution, that Bishop Andrew is connected with slavery, and had obtained an interview with him on the subject; and having requested him to state the whole facts in the premises, hereby present a written communication from him in relation to this matter, and beg leave to offer it as his statement and explanation of the case.

To the Committee on Episcopacy:

Dear Brethren: In reply to your inquiry, I submit the following statement of all the facts bearing on my connexion with slavery. Several years since an old lady of Augusta, Georgia, bequeathed to me a mulatto girl, in trust, that I should take care of her until she should be nineteen years of age; that, with her consent, I should then send her to Liberia; and that in case of her refusal I should keep her, and make her as free as the laws of the State of Georgia would permit. When the time arrived, she refused to go to Liberia, and, of her own choice, remains legally my slave, although I derive no pecuniary profit from her. She continues to live in her own house, on my lot; and has been, and is at present, at perfect liberty to go to a free State at her pleasure; but the laws of the State will not permit her emancipation, nor admit such deed of emancipation to record, and she refuses to leave the State. In her case, therefore, I have been made a slaveholder legally, but not with my own consent.

2dly. About five years since, the mother of my former wife left to her daughter, not to me, a negro boy; and as my wife died without a will more than two years since, by the laws of the State he becomes legally my property. In this case, as in the former, emancipation is impracticable in the State; but he shall be at liberty to leave the State whenever I shall be satisfied that he is prepared to provide for himself, or I can have sufficient security that he will be protected and provided for in the place to which he may go.

3dly. In the month of January last I married my present wife, she being at the time possessed of slaves, inherited from her former husband's estate, and belonging to her. Shortly after my marriage, being unwilling to become their owner, regarding them as strictly hers, and the law not permitting their emancipation, I secured them to her by a deed of trust.

It will be obvious to you, from the above statement of facts, that I have neither bought nor sold a slave; that in the only two instances in which I am legally a slaveholder, emancipation is impracticable. As to the servants owned by my wife, I have no legal responsibility in the premises, nor could my wife emancipate them if she desired to do so. I have thus plainly stated all the facts in the case, and submit the statement for the consideration of the General Conference. Yours, respectfully,

JAMES O. ANDREW.

All which is respectfully submitted.

ROBERT PAINE, *Chairman.*

A. Griffith and J. Davis offered the following preamble and resolution, which were read and debated:

Whereas the Rev. James O. Andrew, one of the bishops of the Methodist Episcopal Church, has become connected with slavery, as communicated in his statement in his reply to the inquiry of the Committee on the Episcopacy, which reply is embodied in their report, No. 3, offered yesterday; and whereas it has been, from the origin of said Church, a settled policy and the invariable usage to elect no person to the office of bishop who was embarrassed with this "great evil," as, under such circumstances, it would be impossible for a bishop to exercise the functions and perform the duties assigned to a general superintendent with acceptance, in that large portion of his charge in which slavery does not exist; and whereas Bishop Andrew was himself nominated by our brethren of the slaveholding States, and elected by the General Conference of 1832, as a candidate, who, though living in the midst of a slaveholding population, was nevertheless free from all personal connexion with slavery; and whereas this is, of all periods in our history as a Church, the one least favorable to such an innovation upon the practice and usage of Methodism as to confide a part of the itinerant general superintendency to a slaveholder; therefore,

Resolved, That the Rev. James O. Andrew be, and he is hereby, affectionately requested to resign his office as one of the Bishops of the Methodist Episcopal Church.

When brother Griffith, in favor of his resolution, had spoken as long as the rule allowed, a motion was made to permit him to proceed. G. Filmore offered, as a substitute for this, that the rule which restricts a speaker to fifteen minutes, be suspended during the discussion of this subject. The substitute prevailed, by a vote of one hundred and three.

On motion of N. Bangs, it was resolved, that when we adjourn, it be to meet again this afternoon at half-past three o'clock, one hundred and four voting for it.

W. Capers then moved, that we do now adjourn. Lost.

J. P. Durbin moved to reconsider the vote by which we resolved to meet this afternoon. This was lost.

The motion for adjournment was renewed and carried; and Conference adjourned with prayer by brother Tippett.

Wednesday afternoon, May 22.—Conference met, pursuant to adjournment at half-past three o'clock, Bishop Soule in the chair, and was opened with religious services by brother Fowler.

The Chair called for reports from standing and select committees. None being offered, W. Cooper moved that the resolution under discussion this morning be postponed, and made the order of the day for to-morrow morning. Lost. The consideration was resumed, and several speakers were heard.

On motion of J. A. Collins, conference adjourned with prayer by brother Bond.

Thursday morning, May 23.—Conference met at the regular hour, Bishop Hedding in the chair, and was opened with religious exercises by brother Robinson.

The journal of yesterday afternoon was read and approved.

The chair called for reports from standing and select committees. None were presented.

Conference resumed the consideration of the resolution under discussion yesterday, viz., the resolution offered by brothers Griffith and Davis on Wednesday.

J. B. Finley offered a substitute for the resolution, in the following words, viz:

Whereas the discipline of our church forbids the doing anything calculated to destroy our itinerant general superintendency; and whereas Bishop Andrew has become connected with slavery by marriage and otherwise, and this act having drawn after it circumstances which, in the estimation of the General Conference, will greatly embarrass the exercise of his office as an itinerant general superintendent, if not in some places entirely prevent it; therefore,

Resolved, That it is the sense of this General Conference that he desist from the exercise of this office so long as this impediment remains.

J. B. FINLEY,
J. M. TRIMBLE.

A discussion on the above substitute ensued, occupying the morning session. A few minutes before one o'clock, when W. D. Cass was speaking, it was resolved to continue the session five minutes after the regular time, for the purpose of hearing a statement which J. Early wished to make. When this was made, conference adjourned with prayer by brother Steele.

2992.

Friday, May 24.—The order of the day, viz., the above named substitute (Finley's) was resumed, and its discussion continued until one o'clock, when conference adjourned with prayer by brother Ferguson.

Saturday, May 25.—The order of the day, viz., the substitute of brothers Finley and Trimble, for the resolution offered by brothers Griffith and Davis, was resumed.

During the discussion, J. P. Durbin asked leave of absence, on account of family affliction. The leave was granted.

After the consideration of the substitute had been resumed, G. Baker moved that the vote by which the rule limiting a speaker to fifteen minutes had been suspended, be reconsidered. On motion of J. E. Evans, the proposal to reconsider was laid on the table. The discussion was continued until fifteen minutes before the hour of adjournment, when, on motion of L. M. Lee, conference adjourned with prayer by brother Bush.

Monday, May 27.—The whole session was occupied in discussing the substitute under consideration for some days past.

Tuesday morning, May 28.—Conference resumed the consideration of Finley's substitute. J. A. Collins, who was speaking at the adjournment yesterday, concluded his remarks, and was followed by E. W. Sehon, W. Winans, and J. B. Finley. Bishop Andrew also addressed the conference.

At the request of T. Crowder, brother Finley gave way to permit him to offer the following resolution:

Resolved, That when this conference adjourn, it adjourn to meet again at half-past three o'clock.

The resolution prevailed. P. Cartwright obtained the floor, but the hour of adjournment having come, conference adjourned with prayer by brother A. D. Peck.

Tuesday afternoon, May 28.—The subject under consideration at the adjournment was resumed, and discussed by P. Cartwright and J. Stamper.

When P. Cartwright had concluded his remarks, P. Crandall offered a resolution, that the discussion on this question close at half-past five o'clock this afternoon. J. A. Collins rose to a point of order, whether the resolution could be entertained, the conference having no rule for the previous question. The chair decided that the resolution was not in order. From this decision J. B. Houghtaling appealed; and the decision of the chair was sustained by a vote of one hundred and three.

S. Dunwody obtained the floor, but gave way for a motion to adjourn, which was withdrawn to permit Bishop Soule to make a few remarks, asking leave of the conference, before the final action, to make some remarks on the subject now under consideration. J. Early moved that Bishop Soule, and all the other bishops, be at liberty to address the conference on the subject now under consideration, at any time after brother Dunwody *has* concluded his remarks.

Without taking the vote, on motion, conference adjourned with the benediction by Bishop Waugh.

Wednesday morning, May 29.—Conference took up the resolution of J. Early, which was under discussion when conference adjourned. A motion was made to lay the resolution on the table, which prevailed. J. S. Porter moved to reconsider the last vote. Carried. J. P. Durbin moved the previous question, which being sustained, the vote on the resolution before the conference was taken, and the resolution was adopted.

The conference renewed the consideration of the substitute offered by J. B. Finley. S. Dunwody addressed the conference, and was followed by Bishop Soule.

N. Bangs moved that, when conference adjourn, it adjourn to meet again at half-past three o'clock this afternoon. Carried.

Bishop Soule having concluded his remarks, the conference adjourned with the benediction by brother Dunwody.

Wednesday afternoon, May 29.—Conference resumed the consideration of the substitute of J. B. Finley. J. P. Durbin addressed the conference, after some explanation by W. A. Smith, A. B. Longstreet, and others. W. Capers then obtained the floor, but gave way for a motion to adjourn, which, being put, was carried.

Thursday, May 30.—The consideration of Finley's substitute was resumed, W. Capers having the floor, who addressed the conference. When he had concluded, G. Peck obtained the floor, but yielded it to J. Hobart, who moved the previous question. J. P. Durbin moved, that on the vote whether the main question shall now be put, the ayes and noes be taken. The ayes and noes were ordered by a vote of one hundred and seventeen.

The list was called, and ninety-eight answered in favor of putting the main question, and eighty against it.

So the motion to take the main question was lost, not having a majority of two-thirds.

At this moment Bishop Hedding suggested that the conference have no afternoon session, and thus allow the bishops time to consult together, with a hope that they might be able to present a plan of adjusting our present difficulties. The suggestion was received with general and great cordiality; and, on motion, the discussion of the substitute under consideration was postponed until to-morrow morning.

Friday, May 31.—Bishop Waugh, in behalf of the bishops, presented the following communication, which was read by himself, and also by the secretary:

To the General Conference of the Methodist Episcopal Church.

Rev. and Dear Brethren.—The undersigned respectfully and affectionately offer to your calm consideration the result of their consultation this afternoon in regard to the unpleasant and very delicate question which has been so long and so earnestly debated before your body. They have, with the liveliest interest, watched the progress of the discussion, and have awaited its termination with the deepest solicitude.

2883.

As they have pored over this subject with anxious thought, by day and by night, they have been more and more impressed with the difficulties connected therewith, and the disastrous results which, in their apprehension, are the almost inevitable consequences of present action on the question now pending before you. To the undersigned it is fully apparent that a decision thereon, whether affirmatively or negatively, will most extensively disturb the peace and harmony of that widely-extended brotherhood which has so effectively operated for good in the United States of America, and elsewhere, during the last sixty years, in the development of a system of active energy, of which union has always been a main element. They have, with deep emotion, inquired, can anything be done to avoid an evil so much deprecated by every friend of our common Methodism? Long and anxiously have they waited for a satisfactory answer to this inquiry, but they have paused in vain. At this painful crisis they have unanimously concurred in the propriety of recommending the postponement of further action in the case of Bishop Andrew until the ensuing General Conference. It does not enter into the design of the undersigned to argue the propriety of their recommendation, otherwise strong and valid reasons might be adduced in its support. They cannot but think that if the embarrassment of Bishop Andrew should not cease before that time, the next General Conference, representing the pastors, ministers, and people of the several Annual Conferences, after all the facts in the case shall have passed in review before them, will be better qualified than the present General Conference can be to adjudicate the case wisely and discreetly. Until the cessation of the embarrassment, or the expiration of the interval between the present and the ensuing General Conference, the undersigned believe that such a division of the work of the general superintendency might be made, without any infraction of a constitutional principle, as would fully employ Bishop Andrew in those sections of the church in which his presence and services would be welcome and cordial. If the course pursued on this occasion by the undersigned be deemed a novel one, they persuade themselves that their justification, in the view of all candid and peace-loving persons, will be found in their strong desire to prevent disunion, and to promote harmony in the church.

Very respectfully and affectionately submitted,

JOSHUA SOULE,
ELIJAH HEDDING,
B. WAUGH,
T. A. MORRIS.

Thursday afternoon, May 30, 1844.

J. A. Collins moved that the consideration of the communication just read be postponed until to-morrow morning, and that the communication itself be printed forthwith. A third reading was called for, and ordered by the conference. I. Winner moved to amend the above resolution by striking out "to-morrow morning," and inserting "four

o'clock this afternoon." This amendment, on motion of J. Stamper, was laid on the table. T. Stringfield called for a division of the resolution; and that part which relates to the printing was adopted. The other member of the resolution was also adopted.

Saturday, June 1.—At this juncture all the bishops on the platform addressed the conference, in the following order.

Bishop Hedding said he wished to withdraw his name from the address of the bishops, presented yesterday. He had not been argued or persuaded into signing it, but had attached his name of his own free will and accord, because he thought it would be a peace measure; but facts had come to his knowledge since, which led him to believe that such would not be the case. Again: he thought it would be adopted without debate, but he was convinced now that it would give rise to much discussion, and therefore he wished to withdraw his name from the paper on the table.

Bishop Waugh followed, and said he came into the measure, as his venerated and honored colleague did, without persuasion or restraint. He considered it as the last resort to promote the future peace of the Church. He admitted he had not been very sanguine on the subject, and if it failed he would not be disappointed. Still he did not desire to withdraw his name; he would regret if the communication should be the cause of lengthened debate, and in that case might feel called upon to withdraw his name from the document. At present he was content to let it remain.

Bishop Morris succeeded, and said he wished his name to stand on that paper as a testimony that he had done what he could to preserve the unity and peace of the Church.

Bishop Soule added, that his colleagues would certainly say that they adopted the paper as freely as he did. He put his name to that document under the same circumstances as they did. He had not changed his views or convictions in any way. He wished his signature to stand to that document, which had now gone forth to the American people through a thousand mediums.

N. Bangs moved to lay the address on the table. J. Early moved that the question of laying it on the table be taken by ayes and noes. This prevailed. The vote was then taken, and ninety-five affirmative and eighty-four negative votes were given. So the address of the bishops was laid on the table.

J. A. Collins moved to take up the substitute of J. B. Finley, which had been laid on the table, by a vote, some days ago. J. C. Evans moved the previous question on taking up the substitute. The call for the previous question was sustained by two-thirds voting affirmatively; and the substitute was taken up by another vote. J. T. Peck moved the previous question on the substitute, and the words, "Shall the main question now be put?" applied to the substitute, according to the resolution establishing the previous question. A motion that the vote, whether the main question now be taken shall be by yeas and nays, was lost by a vote of 128 to 47. The call for the previous ques-

2884

tion was sustained by the requisite majority, and the vote on the substitute being ordered, it was moved to take this vote by yeas and nays. The yeas and nays were ordered. The list by conferences was called, and the vote on the substitute was decided by 110 yeas, and 68 nays. So conference adopted the substitute of James B. Finley, which is in these words:

Whereas the Discipline of our Church forbids the doing anything calculated to destroy our itinerant general superintendency; and whereas Bishop Andrew has become connected with slavery by marriage and otherwise, and this act having drawn after it circumstances which, in the estimation of the General Conference, will greatly embarrass the exercise of his office as an itinerant general superintendent, if not in some places entirely prevent it: Therefore—

Resolved, That it is the sense of this General Conference that he desist from the exercise of his office so long as this impediment remains.

During the call for yeas and nays, J. C. Clark asked to be excused from voting, as he was compelled, by the want of health in some members of his family, to remove from Texas. Conference, by a vote, declined excusing him.

It was reported, when the names were called, that J. Davis and I. T. Cooper were sick.

Yeas.—New York Conference—Bangs, Olin, Rice, G. Peck, Stratten, Sandford, F. Reed, Ferguson, Martindale, Richardson. Troy—Seymour, Wever, Covel, Spicer, Coleman, Houghtaling, J. T. Peck. Providence—Lovejoy, Upham, Benton, Townsend. New Hampshire—E. Scott, Perkins, Kelly, Chamberlin, Dow, Spaulding, Cahoon, Cass. New England—J. Porter, King, Crandall, C. Adams, Pickering. Pittsburgh—W. Hunter, H. J. Clark, Spencer, S. Elliott, Boyd, Wakefield, Drummond. Maine—Hill, E. Robinson, Randall, Morse, Hobart, Nickerson, Webber. Black River—A. D. Peck, A. Adams, Baker, Ninde. Erie—Steadman, Bain, G. W. Clark, J. Robinson, Goodwin. Oneida—Snyder, Comfort, Rounds, Shepherd, Row, Bowen, Holmes. Michigan—Crane, Billings, Baughman. Rock River—Weed, H. W. Reed, Mitchell. Genesee—Filmore, Luckey, Steele, Hibbard, Seager, Abell, Hosmer, Alverson. North Ohio—E. Thompson, Power, Poe, Yocum, Runnells. Illinois—Akers, Cartwright. Ohio—C. Elliott, Raper, Trimble, Finley, Hamline, Connell, Ferree. Indiana—Simpson, Wiley, Ames, Miller, Ruter, Wood, Eddy, Havens. Texas—J. Clark. Baltimore—Collins, Griffith, Bear, Morgan, (J. Davis, added June 4.) Philadelphia—Durbin L. Scott. New Jersey—Winner, J. S. Porter, Shaw—110.

Nays.—New York Conference—Carpenter. Michigan—G. Smith. Rock River—Sinclair. Illinois—Stamper, Vancleve, N. G. Berryman. Kentucky—Bascom, Gunn, Kavanaugh, Stevenson, Crouch, Brush. Ohio—Sehon. Holston—Sevier, S. Patton, Stringfield. Tennessee—Paine, McFerrin, Green, Madden. Missouri—Redman, W. Patton, J. C. Berryman, J. M. Jameson. Memphis—Harris,

Moody, McMahon, Joyner. Arkansas—Parker, Ratcliff, A. Hunter. Texas—Fowler. Mississippi Winans, Drake, Lane, Rogers. Alabama—Boring, Hamilton, Murrah, Garrett. Georgia—G. F. Pierce, Parks, L. Pierce, Glenn, Evans, Longstreet. South Carolina—Capers, Wightman, Betts, Dunwody, Walker. North Carolina—J. Jameson, Doub, Blake. Virginia—Early, Crowder, W. A. Smith, Lee. Baltimore—Slicer, Gere, Sargent, Tippett, Hildt. Philadelphia—T. J. Thompson, White, W. Cooper, (I. T. Cooper, added June 3.) New Jersey—Neal, Sovereign—68.

L. Pierce gave notice that a protest would be presented by the minority on this vote, at as early a day as practicable, to be entered on the journals of the conference.

W. Winans moved that the conference do now adjourn. This motion was carried. After prayer by brother Sovereign, conference adjourned until Monday morning, at half-past eight o'clock.

Monday, June 3.—The following resolutions were offered by H. Slicer and T. B. Sargent:

1. Resolved, That it is the sense of this General Conference that the vote of Saturday last, in the case of Bishop Andrew, be understood as advisory only, and not in the light of a judicial mandate.

2. Resolved, That the final disposition of Bishop Andrew's case be postponed until the General Conference of 1848, in conformity with the suggestion of the bishops in their address to the conference on Friday, 31st May.

H. SLICER,
T. B. SARGENT.

June 3, 1844.

It was moved to lay these resolutions on the table for the present. On the question of laying them on the table the yeas and nays were called for, and ordered. Ayes 75, noes 68.

So the resolutions, for the present, were laid on the table.

Dr. Capers offered a series of resolutions, which were read and lie on the table, under the rule. They are as follows:—

Be it resolved by the delegates of all the annual conferences in General Conference assembled, That we recommend to the annual conferences to suspend the constitutional restrictions which limit the powers of the General Conference so far, and so far only, as to allow of the following alterations in the government of the church, viz:—

That the Methodist Episcopal Church in these United States and territories, and the republic of Texas, shall constitute two General Conferences, to meet quadrennially, the one at some place south, and the other north, of the line which now divides between the States commonly designated as free States, and those in which slavery exists.

2. That each one of the two General Conferences thus constituted shall have full powers, under the limitations and restrictions which are now of force and binding on the General Conference, to make rules and regulations for the church, within their territorial limits respectively, and to elect bishops for the same.

3. That the two General Conferences aforesaid shall have jurisdiction as follows: The Southern General Conference shall comprehend the States of Virginia, Kentucky, and Missouri, and the States and territories lying southerly thereto, and also the republic of Texas, to be known and designated by the title of the Southern General Conference of the Methodist Episcopal Church of the United States. And the Northern General Conference to comprehend all those States and territories lying north of the States of Virginia, Kentucky, and Missouri, as above, to be known and designated by the title of the Northern General Conference of the Methodist Episcopal Church in the United States.

4. And be it further resolved, That as soon as three-fourths of all the members of all the annual conferences voting on these resolutions shall approve the same, the said Southern and Northern General Conferences shall be deemed as having been constituted by such approval; and it shall be competent for the Southern Annual Conferences to elect delegates to said Southern General Conference to meet in the city of Nashville, Tenn., on the first of May, 1848; or sooner, if a majority of two-thirds of the members of the annual conferences composing that General Conference shall desire the same.

5. And be it further resolved as aforesaid, That the Book Concerns at New York and Cincinnati shall be held and conducted as the property and for the benefit of all the annual conferences as heretofore—the editors and agents to be elected once in four years at the time of the session of the Northern General Conference, and the votes of the Southern General Conference to be cast by the delegates of that conference attending the Northern for that purpose.

6. And be it further resolved, That our church organization for foreign missions shall be maintained and conducted jointly between the two General Conferences as one church, in such manner as shall be agreed upon from time to time between the two great branches of the church as represented in the said two conferences.

E. W. Sehon reported that brother Kenney, the second assistant Secretary, had received intelligence from home of the affliction of his family, and asked that he be excused from any further attendance. He was excused; and, on motion of S. D. Ferguson, C. W. Carpenter, of the New York Conference, was appointed secretary in his place. At the request of brother Carpenter he was excused from serving; and, on motion of N. Bangs, Valentine Buck, pastor of the John street charge in this city, was appointed Recording Secretary.

On motion of N. Bangs, the resolutions offered by W. Capers this morning were referred to a select committee of nine, who were instructed to report on them as soon as practicable.

Wednesday, June 5. W. Capers returned certain resolutions to the conference, on which a special committee was appointed, stating that the committee could not agree on a report which they judged would be acceptable to the conference. (See Journal of June 3, page 86.)

A. B. Longstreet, in behalf of the delegations from the Southern and

Southwestern Conferences, presented the following declaration, which was read:

The delegates of the Conferences in the slaveholding States take leave to declare to the General Conference of the Methodist Episcopal Church, that the continued agitation of the subject of slavery and abolition in a portion of the church; the frequent action on that subject in the General Conference; and especially the extra-judicial proceedings against Bishop Andrew, which resulted, on Saturday last, in the virtual suspension of him from his office as superintendent, must produce a state of things in the South which renders a continuance of the jurisdiction of this General Conference over these conferences inconsistent with the success of the ministry in the slaveholding States.

Virginia Conference—J. Early, W. A. Smith, T. Crowder, L. M. Lee. Kentucky—H. B. Bascom, W. Gunn, H. H. Kavanaugh, E. Stevenson, B. T. Crouch, G. W. Brush. Missouri—W. W. Redman, W. Patton, J. C. Berryman, J. M. Jameson. Holston—E. F. Sevier, S. Patton, T. Springfield. Georgia—G. F. Pierce, W. J. Parks, L. Pierce, J. W. Glenn, J. L. Evens, A. B. Longstreet. North Carolina—J. Jameson, P. Doub, B. T. Blake. Illinois—J. Stamper. Memphis—G. W. D. Harris, W. M'Mahan, T. Joyner, S S. Moody. Arkansas—J. C. Parker, W. P. Radcliff, A. Hunter. Mississippi—W. Winans, B. M. Drake, J. Lane, G. M. Rogers. Texas—L. Fowler. Alabama—J. Boring, J. Hamilton, W. Murrah, G. Garret. Tennesee—R. Paine, J. B. M'Ferrin, A. L. P. Green, T. Madden. South Carolina—W. Capers, W. M. Weightman, C. Betts, S. Dunwody, H. A. C. Walker.

A motion was made by C. Elliott to refer this declaration to a committee of nine. This gave rise to some discussion, and the previous question was moved, and the call sustained. The select committee of nine was ordered, and the paper referred to them.

J. B. M'Ferrin offered the following resolution:

Resolved, That the committee appointed to take into consideration the communication of the delegates from the Southern Conferences be instructed, provided they cannot in their judgment devise a plan for an amicable adjustment of the difficulties now existing in the Church on the subject of slavery, to devise, if possible, a constitutional plan for a mutual and friendly division of the church.

J. B. M'FERRIN,
TOBIAS SPICER.

T. Crowder's motion to strike out the word "constitutional" did not prevail, and the resolution was adopted.

The chair announced the following brethren as the select committee of nine: Robert Paine, Glezen Filmore, Peter Akers, Nathan Bangs, Thomas Crowder, Thomas B. Sargent, William Winans, Leonidas L. Hamline, James Porter.

Thursday, June 6. J. Earley asked that H. B. Bascom have leave to read to the Conference the protest that L. Pierce on Saturday gave

notice would be presented by the Southern delegates. When the reading by Dr. Bascom was finished, the chair decided that the protest be entered upon the Journal.

Mr. Simpson offered the following resolution, which was adopted:

Resolved, That the conference appoint brothers Olin, Durbin, and Hamline, a committee to prepare a statement of the facts connected with the proceedings in the case of Bishop Andrew, and that they have liberty to examine the protest just presented by the Southern brethren.

THE PROTEST.

Protest of the Minority of the General Conference against the action of that body in the case of Bishop Andrew.

In behalf of thirteen annual conferences of the Methodist Episcopal Church, and portions of the ministry and membership of several other conferences, embracing nearly five thousand ministers, travelling and local, and a membership of nearly five hundred thousand, constitutionally represented in this General Conference, we, the undersigned, a minority of the delegates of the several annual conferences in General Conference assembled, after mature reflection, impelled by convictions we cannot resist, and in conformity with the rights and usages of minorities, in the instance of deliberative assemblies and judicial tribunals, in similar circumstances of division and disagreement, do most solemnly and in due form protest against the recent act of a majority of this General Conference, in an attempt, as understood by the minority, to degrade and punish the Rev. James O. Andrew, one of the bishops of the M. E. Church, by declaring it to be the sense or judgment of the General Conference that he desist from the exercise of his episcopal functions, without the exhibition of any alleged offence against the laws or discipline of the church, without form of trial or legal conviction of any kind, and in the absence of any charge of want of qualification or faithfulness in the performance of the duties pertaining to his office.

We protest against the act of the majority in the case of Bishop Andrew, as extra judicial to all intents and purposes, being both without law and contrary to law. We protest against the act, because we recognise in this General Conference no right, power, or authority, ministerial, judicial, or administrative, to suspend or depose a bishop of the M. E. Church, or otherwise subject him to any official disability whatever, without the formal presentation of a charge or charges, alleging that the bishop to be dealt with has been guilty of the violation of some law, or at least some disciplinary obligation of the church, and also upon conviction of such charge after due form of trial. We protest against the act in question as a violation of the fundamental law, usually known as the compromise law of the church, on the subject of slavery—the only law which can be brought to bear upon the case of Bishop Andrew, and the assertion and maintenance of which, until it is constitutionally revoked, is guarantied by the honor and good

faith of this body, as the representative assembly of the thirty-three annual conferences known as contracting parties in the premises.

And we protest against the act, further, as an attempt to establish a dangerous precedent, subversive of the union and stability of the Methodist Episcopal Church, and especially as placing in jeopardy the general superintendency of the church, by subjecting any bishop of the church at any time to the will and caprice of a majority of the General Conference, not only without law, but in defiance of the restraints and provisions of law. The undersigned, a minority of the General Conference, in protesting, as they do, against the late act of the majority, in the virtual suspension of Bishop Andrew, regard it as due to themselves and those they represent, as well as the character and interests of the church at large, to declare, by solemn and formal avowal, that after a careful examination of the entire subject in all its relations and bearings, they protest as above, for the reasons and upon the grounds following, viz: 1st. The proceeding against Bishop A. in this General Conference has been upon the assumption that he is connected withslavery—that he is the legal holder and owner of slave property. On the subject of slavery in the Methodist Episcopal Church, both as it regards the ministry and membership, we have special law, upon which the adjudication of all questions of slavery must, by intention of law, proceed. The case of Bishop Andrew, therefore, presents a simple question of law and fact; and the undersigned cannot consent that the force of circumstances, and other merely extrinsic considerations, shall be allowed to lead to any issue except that indicated by the law and the facts in the case. In the late act of the majority, law, express law, is appealed from, and expediency in view of circumstances—relative propriety, assumed necessity—is substituted in its place as a rule of judgment. It is assumed, and the assumption acted upon, that expediency may have jurisdiction even in the presence of law—the law, too, being special, and covering the case in terms. In the absence of law, it might be competent for the General Conference to act upon other grounds. This is not disputed, nor yet that it would have been competent for the conference to proceed upon the forms of law; but that the terms and conditions of a special enactment, having all the force of a common public charter, can be rightfully waived in practice, at the promptings of a fugitive unsettled expediency, is a position the undersigned regard, not merely as erroneous, but as fraught with danger to the best interests of the church.

The law of the church on slavery has always existed since 1785, but especially since 1804, and in view of the adjustment of the whole subject, in 1816, as a virtual, though informal, contract of mutual concession and forbearance between the North and the South, then, as now, known and existing as distinct parties in relation to the vexed questions of slavery and abolition—those conferences found in States where slavery prevailed constituting the southern party, and those in the non-slaveholding States the northern, exceptions to the rule being found in both. The rights of the legal owners of slaves, in all the

slaveholding States, are guarantied by the Constitution of the United States, and by the local constitutions of the States respectively, as the supreme law of the land, to which every minister and member of the M. E. Church within the limits of the United Staes Government professes subjection, and pledges himself to submit, as an article of Christian faith in the common creed of the church. Domestic slavery, therefore, wherever it exists in this country, is a civil regulation, existing under the highest sanctions of constitutional and municipal law known to the tribunals of the country; and it has always been assumed at the South, and relied upon as correct, that the North, or non-slaveholding States, had no right, civil or moral, to interfere with relations and interests thus secured to the people of the South by all the graver forms of law and social order, and that it cannot be done without an abuse of the constitutional rights of citizenship. The people of the North, however, have claimed to think differently, and have uniformly acted toward the South in accordance with such opposition of opinion. Precisely in accordance, too, with this state of things, as it regards the general population of the North and South, respectively, the M. E. Church has been divided in opinion and feeling on the subject of slavery and abolition since its organization in 1784—two separate and distinct parties having always existed. The southern conferences, in agreeing to the main principles of the compromise law in 1804 and 1816, conceded, by express stipulation, their right to resist northern interference in any form, upon the condition, pledged by the North, that while the whole church, by common consent, united in proper effort for the mitigation and final removal of the evil of slavery, the North was not to interfere, by excluding from membership or ministerial office in the church persons owning and holding slaves in States where emancipation is not practicable, and where the liberated slave is not permitted to enjoy freedom. Such was the compact of 1804 and 1816, finally agreed to by the parties after a long and fearful struggle, and such is the compact now—the proof being derived from history and the testimony of living witnesses. And is it possible to suppose that the original purpose and intended application of the law was not designed to embrace every member, minister, order, and officer of the M. E. Church? Is the idea of excepted cases allowable by fair construction of the law? Do not the reasons and intendment of the law place it beyond doubts, that every conceivable case of alleged misconduct that can arise, connected with slavery or abolition, is to be subjected, by consent and contract of parties, to the jurisdiction of this great conservative arrangement?

Is there anything in the law or its reasons creating an exception in the instance of bishops? Would the South have entered into the arrangement, or in any form consented to the law, had it been intimated by the North that bishops must be an exception to the rule? Are the virtuous dead of the North to be slandered by the supposition that they intended to except bishops, and thus accomplished their purposes, in negotiations with the South, by a resort to deceptive and

dishonorable means? If bishops are not named, no more are presiding elders, agents, editors, or indeed any other officers of the church, who are nevertheless included, although the same rule of construction would exempt them also. The enactment was for an entire people, East, West, North, and South. It was for the church, and every member of it—for the common weal of the body—and is therefore universal and unrestricted in its application; and no possible case can be settled upon any other principles without a direct violation of this law both in fact and form. The law being what we have assumed, any violation of it, whatever may be its form or mode, is as certainly a breach of good faith as an infringement of law. It must be seen, from the manner in which the compromise was effected in the shape of a law, agreed to by equal contracting parties, "the several Annual Conferences," after long and formal negotiation, that it was not a mere legislative enactment, a simple decree of a General Conference, but partakes of the nature of a grave compact, and is invested with all the sacredness and sanctions of a solemn treaty, binding respectively the well-known parties to its terms and stipulations. If this be so—and with the evidence accessible who can doubt it?—if this be so, will it prove a light matter for this General Conference to violate or disregard the obligation of this legal compromise in the shape of public recognised law? Allow that the present parties in this controversy cannot be brought to view the subject of the law in question in the same light, can such a matter end in a mere difference of opinion as it respects the immediate parties? The law exists in the discipline of the church; the law is known, and its reasons are known, as equally binding upon both parties; and what is the likelihood of the imputation of bad faith under the circumstances? What the hazard that such imputation, as the decision of public opinion, it may be from a thousand tribunals, will be brought to bear, with all the light and force of conviction, upon any act of this body, in violation of the plain provisions of long-established law, originating in treaty, and based upon the principles of conventional compromise?

In proportion to our love of truth, of law, and order, are we not called upon to pause and weigh well the hazard before, as a General Conference, we incur it beyond change or remedy? The undersigned have long looked to the great conservative law of the discipline on the subject of slavery and abolition, as the only charter of connectional union between the North and the South; and whenever this bond of connexion is rendered null and void, no matter in what form or by what means, they are compelled to regard the church, to every practical purpose, as already divided without the intervention of any other agency. By how far, therefore, they look upon the union of the Methodist Episcopal Church as essential to its prosperity and the glory and success of American Methodism, by so far they are bound to protest against the late act of the General Conference in the irregular suspension of Bishop Andrew as not only without law, but in direct contravention of legal stipulations known to be essential to the unity

of the church. And they are thus explicit in a statement of facts, that the responsibility of division may attach where in justice it belongs. The minority making this protest are perfectly satisfied with the law of the church affecting slavery and abolition. They ask no change. They need, they seek, no indulgence in behalf of the South. Had Bishop Andrew been suspended according to law, after due form of trial, they would have submitted without remonstrance as the friends of law and order.

They except and protest further, against the lawless procedure, as they think, in the case of Bishop Andrew, because, apart from the injustice done him and the South by the act, other and graver difficulties, necessarily incidental to this movement, come in for a share of attention. The whole subject is, in the very nature of things, resolved into a single original question: Will the General Conference adhere to, and in good faith assert and maintain, the compromise law of the church on the vexed question dividing us; or will it be found expedient generally, as in the case of Bishop Andrew, to lay it aside, and tread it under foot? No question on the subject of slavery and abolition can be settled until the General Conference shall settle this, beyond the possibility of evasion. In the present crisis, it is the opinion of the undersigned, that every bishop of the Methodist Episcopal Church, and every member of this General Conference, is especially called upon, by all the responsibilities of truth and honor, to declare himself upon the subject; and they deem it proper, respectfully and urgently, to make such call a part of this protest. When so much depends upon it, can the General Conference, as the organ of the supreme authority of the church, remain silent, without incurring the charge of trifling, both with its interests and reputation? Law always pledges the public faith of the body ostensibly governed by it, to the faithful assertion and performance of its stipulations; and the compromise law of the Discipline, partaking, as it does, of the nature of the law of treaty, and embracing, as has been seen, all possible cases, pledges the good faith of every minister and member of the Methodist Episcopal Church against saying or doing any thing tending to annul the force or thwart the purposes of its enactment. The only allowable remedy of those who object to the law, is to seek a constitutional change of the law; and in failure to submit, or else retire from the church. All attempts to resist, evade, or defeat the objects and intended application of the law, until duly revoked, must be regarded as unjust and revolutionary, because an invasion of well defined conventional right. And the undersigned except to the course of the majority in the informal prosecution of Bishop Andrew, and the anomalous quasi suspension it inflicts, as not only giving to the compromise a construction rendering it entirely ineffective, but as being directly subversive of the great bond of union which has held the North and South together for the last forty years.

Turning to the confederating Annual Conferences of 1804, and the vexed and protracted negotiations which preceded the General Conference of that year, and finally resulted in the existing law of the Disci-

pline, regulating the whole subject, and glancing at nearly half a million of Methodists, now in the South, who have come into the church with all their hopes and fears, interests and associations, their property, character, and influence, reposing in safety upon the publicly pledged faith of the Methodist Episcopal Church, only to be told that this is all a dream; that a part of what was pledged was never intended to be allowed; and that the whole is at all times subject to the discretion of a dominant majority, claiming, in matter of right, to be without and above law; competent, not merely to make all rules and regulations for the proper government of the church, but to govern the church without rule or regulation, and punish and degrade without even the alleged infringement of law, or the form of trial, if it be thought expedient, presents a state of things filling the undersigned with alarm and dismay. Such views and facts, without adducing others, will perhaps be sufficient to show the first and principal ground occupied by the minority in the protest. They cannot resist the conviction, that the majority have failed to redeem the pledge of public law given to the church and the world by the Methodist Episcopal Church.

2. The undersigned are aware that it is affirmed by some of the majority, but mean while denied by others, and thus a mooted unsettled question among themselves, that the resolution censuring and virtually suspending Bishop Andrew, as understood by the minority, is mere matter of advice or recommendation; but so far from advising or recommending any thing, the language of the resolution, by fair and necessary construction, is imperative and mandatory in form, and, unqualified by any thing in the resolution itself, or in the preamble explaining it, conveys the idea, plainly and most explicitly, that it is the judgment and will of the conference that Bishop Andrew shall cease to exercise the office of Bishop until he shall cease to be the owner of slaves. "Resolved, That it is the sense of this conference that he desist;" that is, having rendered himself unacceptable to the majority, it is their judgment that he retire from the bench of Bishops, and their field of action.

No idea of request, advice, or recommendation, is conveyed by the language of the preamble or resolution; and the recent avowal of an intention to advise is, in the judgment of the undersigned, disowned by the very terms in which, it is said, the advice was given. The whole argument of the majority, during a debate of twelve days, turned upon the right of the conference to displace Bishop Andrew without resort to formal trial. No one questioned the legal right of the conference to advise; and if this only was intended, why the protracted debate upon the subject? But further, a resolution, respectfully and affectionately requesting the Bishop to resign, had been laid aside, to entertain the substitute under notice; a motion, too, to declare the resolution advisory was promptly rejected by the majority; and in view of all these facts, and the entire proceedings of the majority in the case, the undersigned have been compelled to consider the resolution as a mandatory judg-

ment, to the effect that Bishop Andrew desist from the exercise of his episcopal functions. If the majority have been misunderstood, the language of their own resolution, and the position they occupied in the debate, have led to the misconception; and truth and honor, not less than a most unfortunate use of language, require that they explain themselves.

3. We except to the act of the majority, because it is assumed that conscience and principle are involved, and require the act complained of as expedient and necessary under the circumstances. Bishop Andrew being protected by the law of the Church, having cognizance of all offences connected with slavery, such connexion in his case, in the judgment of all jurisprudence, can only be wrong in the proportion that the law is bad and defective. It is not conceived by the minority how conscience and principle can be brought to bear upon Bishop Andrew, and not upon the law and the Church having such law. They are obliged to believe that the law and the source from which it emanates must become the object of exception and censure before Bishop Andrew, who has not offended against either, unless the Church is against the law, can be subjected to trial, at the bar of the conscience and principles of men who profess subjection and approval, in the instance both of the law and the Church.

The undersigned can never consent, while we have a plain law, obviously covering an assumed offence, that the offence shall be taken, under plea of principle, out of the hands of the law, and be re-subjected to the conflicting opinions and passions which originally led to a resort to law, as the only safe standard of judgment. They do not understand how conscience and principle can attach grave blame to action not disapproved by the law—express law, too, made and provided in the case—without extending condemnation to the law itself and the body from which it proceeds. The Church can hardly be supposed to have settled policy and invariable custom, in contravention of law; the avowal of such custom and policy, therefore, excluding from the Episcopacy any and every man, in any way connected with slavery, is mere assumption. No contract, agreement, decree, or purpose of this kind, is of record, or ever existed. No such exaction, in terms or by implication, was ever made by the North, or conceded by the South. No conventional understanding ever existed to this effect, so far as the South is concerned, or has been informed. That it has long, perhaps always, been the purpose of the North, not to elect a slaveholder to the office of bishop, is admitted. But as no law gave countenance to any thing of the kind, the South regarded it as a mere matter of social injustice, and was not disposed to complain. The North has always found its security in numbers, and the untrammelled right of suffrage, and to this the South has not objected. The assumption, however, is entirely different, and is not admitted by the South, but is plainly negatived by the law and language of the Discipline, as explained by authority of the General Conference.

No such concession, beyond peaceable submission to the right of

suffrage, exercised by the majority, will ever be submitted to by the South, as it would amount to denial of equal abstract right, and a disfranchisement of the Southern ministry, and could not be submitted to without injury and degradation. If, then, the North is not satisfied with the negative right conceded to the South by law in this matter, the minority would be glad to know what principle or policy is likely to introduce beyond the existing provisions of law. As the contingency which has occasioned the difficulty in the case of Bishop Andrew, and to which every Southern minister is liable at any time, does not, and cannot fall under the condemnation of existing law;" and he cannot be punished, nor yet subjected to any official disability, without an abuse of both right and power, on the part of this General Conference, the minority are compelled to think that the majority ought to be satisfied with the consciousness and declaration, that they are in no way responsible for the contingency, and thus, at least, allow Bishop Andrew the benefit of their own legislation, until they see proper to change it. This attempt by the majority to protect a lawless prosecution from merited rebuke, by an appeal to conscience and principle, condemning Bishop Andrew, while the law and the Church, shielding him from the assault, are not objected to, is looked upon by the minority as a species of moral, we will not say legal, casuistry, utterly subversive of all the principles of order and good government.

4. The act of the majority was ostensibly resorted to, because, as alleged, the Church in the middle and northern Conferences will not submit to any, the slightest, connexion with slavery. But if connexion with slavery is ruinous to the Church in the North, that ruin is already wrought. Who does not know that the very discipline, laws, and legislation of the Church necessarily connect us all with slavery? All our provisional legislation on the subject has proceeded on the assumption that slavery is an element of society—a principle of action—a household reality in the Methodist Episcopal Church in the United States. It is part and parcel of the economy of American Methodism, in every subjective sense. It has given birth to law and right, conventional arrangements, numerous missions, and official trusts. Every bishop, every minister, every member of the Church is, of necessity, connected with slavery. Each is brother and co-member, both with slave and master, by the very laws and organization of the Church.

If, then, connexion with slavery is so disastrous, the only remedy is to purify the Church by reorganization, or get out of it as soon as possible. And would not this aversion to slavery—would not conscience and principle, so much plead in this controversy—appear much more consistent, in every view of the subject, in striking at the root of the evil in the organic structure of the Church, than in seeking its personification in Bishop Andrew, protected although he be by the law, and proceeding to punish him, by way of calling off attention from the known toleration of the same thing in other aspects and relations?

Impelled by conscience and principle to the illegal arrest of a bishop, because he has incidentally, by bequest, inheritance, and marriage,

come into possession of slave property, in no instance intending to possess himself of such property, how long will conscience and principle leave other ministers, or even lay members, undisturbed, who may happen to be in the same category with Bishop Andrew? Will assurances be given that the lawlessness of expediency, controlled, as in such case it must be, by prejudice and passion, will extend no further—that there shall be no further curtailment of right as it regards the Southern ministry? Yet what is the security of the South in the case? Is the public faith of this body, as instanced in the recent violations of the compromise law, to be relied upon as the guarantee for the redemption of the pledge? What would such pledge or assurance be but to remind the South that any departure at all from the great conservative pledge of law, to which we appeal, was much more effectually guarded against originally, than it is possible to guard against any subsequent infringement, and to make the South feel further that disappointment in the first instance must compel distrust with regard to the future? The Church having specific law on the subject, all questions involving slavery must inevitably, by intention of law, come within the purview of such special provision, and cannot be judged of by any other law or standard, without a most daring departure from all the rules and sobrieties of judicial procedure; and the undersigned accordingly except to the action of the majority in relation to Bishop Andrew, as not only without sanction of law, but in conflict with rights created by law.

5. As the Methodist Episcopal Church is now organized, and according to its organization since 1784, the Episcopacy is a co-ordinate branch, the executive department proper of the government. A bishop of the Methodist Episcopal Church is not a mere creature—is in no prominent sense an officer of the General Conference. The General Conference, as such, cannot constitute a bishop. It is true, the Annual Conferences select the bishops of the Church, by the suffrage of their delegates in General Conference assembled; but the General Conference, in its capacity of a representative body, or any other in which it exists, does not possess the power of ordination, without which a bishop cannot be constituted.

The bishops are beyond a doubt an integral constituent part of the General Conference, made such by law and the constitution; and because elected by the General Conference, it does not follow that they are subject to the will of that body, except in conformity with legal right and the provisions of law, in the premises. In this sense, and so viewed, they are subject to the General Conference, and this is sufficient limitation of their power, unless the government itself is to be considered irregular and unbalanced in the co-ordinate relations of its parts. In a sense by no means unimportant the General Conference is as much the creature of the Episcopacy, as the bishops are the creatures of the General Conference. Constitutionally the bishops alone have the right to fix the time of holding the Annual Conferences, and should they refuse or neglect to do so, no Annual Conference could

meet, according to law, and, by consequence, no delegates could be chosen, and no General Conference could be chosen, or even exist. And because this is so, what would be thought of the impertinent pretension, should the Episcopacy claim that the General Conference is the mere creature of their will? As executive officers as well as pastoral overseers, the bishops belong to the Church as such, and not to the General Conference as one of its counsels or organs of action merely.

The General Conference is in no sense the Church, not even representatively. It is merely the representative organ of the Church, with limited powers to do its business, in the discharge of a delegated trust.

Because bishops are in part constituted by the General Conference, the power of removal does not follow. Episcopacy even in the Methodist Church is not a mere appointment to labor. It is an official consecrated station, under the protection of law, and can only be dangerous as the law is bad, or the Church corrupt. The power to appoint does not necessarily involve the power to remove; and when the appointing power is derivative, as in the case of the General Conference, the power of removal does not accrue at all, unless by consent of the co-ordinate branches of the government, expressed by law made and provided in the case. When the legislature of a State, to appeal to analogy for illustration, appoints a judge or senator in Congress, does the judge or senator thereby become the officer or creature of the legislature, or is he the officer or senatorial representative of the State of which the legislature is the mere organ? And does the power of removal follow that of appointment? The answer is negative in both cases, and applies equally to the bishops of the Methodist Episcopal Church, who, instead of being the officers and creatures of the General Conference, are de facto the officers and servants of the Church, chosen by the General Conference as its organ of action, and no right of removal accrues, except as they fail to accomplish the aims of the Church in their appointment, and then only in accordance with the provisions of law. But when a bishop is suspended, or informed that it is the wish or will of the General Conference that he cease to perform the functions of bishop, for doing what the law of the same body allows him to do, and of course without incurring the hazard of punishment, or even blame, then the whole procedure becomes an outrage upon justice, as well as law.

The assumption of power by the General Conference beyond the warrant of law, to which we object, and against which we protest, will lead, if carried into practice, to a direct violation of one of the restrictive rules of the constitution. Suppose it had been the "sense" of this General Conference, when the late communication from the bishops was respectfully submitted to the Conference, that such communication was an interference with their rights and duties—an attempt to tamper with the purity and independence, and therefore an outrage upon the claims and dignity of the Conference not to be borne with. And, proceeding a step further, suppose it had been the "sense" of the Conference that they all desist from performing the functions of bishops

until the "impediment" of such offence had been removed—assume this, (and, so far as mere law is concerned, no law being violated in either case, it was just as likely as the movement against Bishop Andrew,) and had it taken place, what had become of the general superintendency? If a bishop of the Methodist Episcopal Church may, without law, and at the instance of mere party expediency, be suspended from the exercise of the appropriate functions of his office, for one act, he may for another. Admit this doctrine, and by what tenure do the bishops hold office? One thing is certain, whatever other tenure there may be, they do not hold office according to law.

The provisions of law and the faithful performance of duty, upon this theory of official tenure, afford no security. Admit this claim of absolutism, as regards right and powers on the part of the General Conference, and the Bishops of the Methodist Episcopal Church are slaves, and the men constituting this body their masters and holders. They are in office only at the discretion of a majority of the General Conference, without the restraints or protection of law. Both the law and themselves are liable and likely at any time to be overborn and trampled upon together, as exemplified in the case of Bishop Andrew. If the doctrine against which we protest be admitted, the Episcopal office is, at best, but a quadrennial term of service; and the undersigned are compelled to think that a man who would remain a bishop, or allow himself to be made one, under such circumstances, "desires a good work," and is prepared for self-sacrifice, quite beyond the comprehension of ordinary piety.

As it regards Bishop Andrew, if it shall be made to appear that the action in his case was intended only to advise and request him to desist from his office, it does not in any way affect the real or relative character of the movement. When a body claiming the right to compel asks the resignation of an officer, the request is, to all official and moral purposes, compulsory, as it loads the officer with disability, and gives notice of assumed unworthiness, if not criminality. The request has all the force of a mandate, inasmuch as the officer is, by such request, compelled either to resign, or remain in office contrary to the known will of the majority. A simple request, therefore, under the circumstances supposed, carries with it all the force of a decree, and is so understood, it is believed, by all the world.

To request Bishop Andrew to resign, therefore, in view of all the facts and relations of the case, was, in the judgment of the minority, to punish and degrade him; and they maintain that the whole movement was without authority of law, is hence, of necessity, null and void, and therefore not binding upon Bishop Andrew, or the minority protesting against it.

6. We protest against the act of the majority, instructing Bishop Andrew to desist from the exercise of his office, not merely on account of the injustice and evil connecting with the act itself, but because the act must be understood as the exponent of principles and purposes, as it regards the union of the North and South in the Methodist Epis-

copal Church, well nigh destroying all hope of its perpetuity. The true position of the parties in relation to a long existing conventional arrangement, on the subject of slavery and abolition, has been fully under notice; and when men of years and wisdom, experience and learning—men of no common weight of character, and with a well-earned aristocracy of church influence thrown about them—assume and declare, in action as well as debate, that what a plain law of the church, the only law applicable in the case, sustained and enforced, too, by an explanatory decree of this body, at a previous session, decides shall not be a disqualification for office, in any grade in the ministry—when such men, (the law and decision of the General Conference notwithstanding,) are heard declaring that what law provides for and protects, nevertheless always has been and always shall be a disqualification—what further evidence is wanting to show that the compromise basis of union, from which the South has never swerved, has been abandoned both by the northern and middle Conferences, with a few exceptions in the latter, and that principles and purposes are entertained by the majority, driving the South to extreme action in defence both of their rights and reputation? And how far the long train of eventful sequences, attendant upon the threatened result of division, may be traceable to the northern and middle Conferences, by the issue thus provoked, is a question to be settled not by us, but by our cotemporaries and posterity.

It is matter of history, with regard to the past, and will not be questioned, that now, as formerly, the South is upon the basis of the Discipline on the subject of slavery. The minority believe it equally certain that this is not true with regard to the North proper especially. In view, then, of the unity of the Methodist Episcopal Church, which party has been, in equity, entitled to the sympathy and protection of the middle and umpire Conferences—those who through good and evil report have kept good faith and adhered to law, or those whose opinions and purposes have led them to seek a state of things in advance of law, and thus dishonor its forms and sanctions?

7. In proportion as the minority appreciate and cling to the unity of the Methodist Episcopal Church, they are bound, further, to except to the position of the majority in this controversy. Allow that Bishop Andrew, without however any infringement of law, is, on account of his connexion with slavery, unacceptable in the northern Conferences. It is equally known to the majority that any bishop of the church, either violating or submitting to a violation of the compromise charter of union between the North and the South, without proper and public remonstrance, cannot be acceptable in the South, and need not appear there. By pressing the issue in question, therefore, the majority virtually dissolve the government of the Methodist Episcopal Church, because in every constitutional aspect it is sundered by so crippling a co-ordinate branch of it as to destroy the itinerant general superintendency altogether. Whenever it is clearly ascertained that the compromise law of the church, regulating slavery and abolition, is aban-

doned, every bishop, each of the venerable and excellent men who now adorn the church and its counsels, ceases to be a general superintendent; the law of union, the principle of gravitation, binding us together, is dissolved, and the general superintendency of the Methodist Episcopal Church is no more!

8. The South have not been led thus to protest merely because of the treatment received by Bishop Andrew, or the kindred action of this body in other matters. The abandonment of the compromise—the official refusal by the majority, as we have understood them, to abide the arbitrament of law—is their principal ground of complaint and remonstrance. If the minority have not entirely misunderstood the majority, the abolition and anti-slavery principles of the North will no longer allow them to submit to the law of the discipline on the general subject of slavery and abolition; and if this be so, if the compromise law be either repealed or allowed to remain a dead letter, the South cannot submit, and the absolute necessity of division is already dated. And should the exigent circumstances in which the minority find themselves placed, by the facts and developments alluded to in this remonstrance, render it finally necessary that the southern conferences should have a separate, independent existence, it is hoped that the character and services of the minority, together with the numbers and claims of the ministry and membership of the portion of the church represented by them, not less than similar reasons and considerations on the part of the northern and middle conferences, will suggest the high moral fitness of meeting this great emergency with strong and steady purpose to do justice to all concerned. And it is believed that, approaching the subject in this way, it will be found practicable to devise and adopt such measures and arrangements, present and prospective, as will secure an amicable division of the church upon the broad principles of right and equity, and destined to result in the common good of the great body of ministers and members found on either side the line of separation.

Signed by the following delegates, viz:

Kentucky Conference—H. B. Bascom, Wm. Gunn, H. H. Kavanaugh, E. Stevenson, B. T. Crouch, G. W. Brush. Missouri—W. W. Redman, W. Patton, J. C. Berryman, J. M. Jameson. Holston—E. F. Sevier, S. Patton, T. Stringfield. Tennessee—R. Paine, J. B. M'Ferrin, A. L. P. Green, T. Madden. North Carolina—J. T. Blake, J. Jameson, P. Doub. Ohio—E. W. Sehon. Memphis—G. W. D. Harris, S. S. Moody, W. M'Mahan, T. Joyner. Arkansas—J. C. Parker, W. P. Ratcliffe, A. Hunter. Virginia—J. Early, T. Crowder, W. A. Smith, L. M. Lee. Mississippi—W. Winans, B. M. Drake, J. Lane, G. M. Rogers. Philadelphia—I. T. Cooper, W. Cooper, T. J. Thompson, Henry White. Texas—L. Fowler. Illinois—N. C. Berryman, J. Stamper. Alabama—J. Boring, J. Hamilton, W. Murrah, G. Garrett. Georgia—G. F. Pierce, W. J. Parks, L. Pierce, J. W. Glenn, J. E. Evans, A. B. Longstreet. South

Carolina—W. Capers, W. M. Wightman, C. Betts, S. Dunwody, H. A. C. Walker. New Jersey—T. Stovereign, T. Neal.

Dr. Bascom's Letter.

Rev. Bishops Soule, Hedding, Waugh, and Morris.

MY DEAR BRETHREN: That part of the protest, presented to the General Conference yesterday, which relates to the Bishops of the Methodist Episcopal Church maintaining the compromise law of the Discipline, on the subject of slavery and abolition, was intended as the declaration of a principle, to which it is the purpose of the South to adhere; but was not intended to convey the idea that any member of the existing bench of Bishops was in any way delinquent with regard to the law of the church in question. If any such impression has been made in any quarter, it is deeply regretted. It is the opinion of the writer and signers of the protest alluded to, that the Bishops addressed in this communication have, at different times, and in different forms, sufficiently declared themselves on the subject under notice; and, so far from intending to impugn the Bishops in any way, the minority signing the protest are ready at all times to endorse the purity and impartiality with which they have maintained and enforced the law and doctrine of the church on the subject of slavery and abolition.

In behalf of the southern delegations signing the protest, very truly and respectfully,

H. B. BASCOM.

New York, June 7, 1844.

REPLY TO THE PROTEST.

Report of the committee appointed to prepare a statement of the facts connected with the proceedings in the case of Bishop Andrew.

The committee appointed to prepare a statement of the facts in the case of Bishop Andrew, and to examine the protest of the minority, regret that the circumstances under which they have been compelled to act have prevented their preparing so complete a report as the importance of the subject demands. The protest was not placed under their command until Friday afternoon, and immediately afterward two of the original committee had to withdraw, one of them being ill, and the other having been elected bishop; nor were their places supplied until Saturday evening. It is under these disadvantages, and amid the pressure of important conference business, that they have been required to prepare a document in relation to some of the most important questions that have ever engaged the attention of the church. It is believed, however, that the following statement of law and facts will be a sufficient notice of the protest which has been referred to them.

As the proceedings of the General Conference in the case of Bishop Andrew were not judicial, its decision has gone forth to the public unaccompanied by the reasons and facts upon which this action was founded. This deficiency is but partially supplied by the published

reports of the debate on the subject. The speakers who advocated the resolution were restrained by a praiseworthy delicacy from all avoidable allusions which might give pain to the respected individual concerned, or awaken unpleasant emotions in any quarter. It is but natural that, under these circumstances, some misunderstanding should prevail as to the merits of the case. The following statement, it is believed, contains nothing, at least so far as facts are concerned, which will not be cheerfully confirmed by all parties, and will throw light upon the true position of the authors of the protest.

From the first institution of the Episcopacy of the Methodist Episcopal Church, no slaveholder has been elected to that dignity, though, in several instances, candidates, otherwise eminently fitted for the station, have failed of success solely on account of this impediment. Since the period referred to, nine bishops have been elected, who were natives of the United States. Of these only three have been northern men, while six were natives of slaveholding States. Not one, however, was a slaveholder; a remarkable fact, which shows very clearly, that while much more than their just claim has been conceded to the slaveholding portion of the church, a decided and uniform repugnance has, from the first, been felt and manifested to the occupancy of that high office by a slaveholder.

It is known and acknowledged by all southern brethren, that Bishop Andrew was nominated by the delegates from the South Carolina and Georgia Conferences, as a southern candidate for whom northern men might vote without doing violence to their principles, as he was no slaveholder. Bishop Andrew himself perfectly understood the ground of his election, and often said that he was indebted to his poverty for his promotion. Since the year 1842, the anti-slavery sentiment in the church, as well as in the whole civilized world, has constantly and rapidly gained ground; and within the last year or two it has been roused to a special and most earnest opposition to the introduction of a slaveholder into the episcopal office—an event which many were led to fear, by certain intimations published in the Southern Christian Advocate, the Richmond Christian Advocate, and perhaps some other Methodist periodicals. This opposition produced the profoundest anxiety through most of the non slaveholding conferences. The subject was discussed everywhere, and the dreaded event universally deprecated as the most fearful calamity that ever threatened the church. Many conferences instructed their delegates to use all possible means to avert such an evil. Other conferences, and many thousand laymen, sent up petitions and memorials to the same effect to the present General Conference. Such was the state of sentiment and of apprehension in the northern portion of the church, when the delegates to the General Conference learned, on reaching this city, that Bishop Andrew had become a slaveholder. The profound grief, the utter dismay, which was produced by this astounding intelligence, can be fully appreciated only by those who have participated in the distressing scenes which have since been enacted in the General Conference.

When the first emotion of surprise and sorrow had so far subsided as to allow of sober thought and inquiry, it was ascertained that Bishop Andrew had been a slaveholder for several years. Soon after his election to the Episcopacy, a lady of Augusta bequeathed him a female slave, on condition that she should be sent to Liberia at nineteen years of age, if her consent to emigrate could be obtained—otherwise she was to be made as free as the laws of Georgia would permit. She refused to emigrate, has since married, and is now enjoying all the privileges provided for in the will of her former mistress; she is, and must be a slave—she and her children—and liable to all that may befall slaves. Another slave Bishop Andrew has inherited from the mother of his former wife, and by his recent marriage he has become the owner of (it was said on the floor of the General Conference) fourteen or fifteen more. These belonged to Mrs. Andrew in her own right before her marriage. That act, according to the laws of Georgia, made them the property of Bishop Andrew, to keep or dispose of as he pleased. He conveyed them to a trustee, for the joint use of himself and wife, of whom the survivor is to be the sole owner. This conveyance was made for the security of Mrs. Andrew, and with no view either to satisfy or mislead the opinions of the northern church. So much, at least, Bishop Andrew was understood to say to the conference. His known integrity forbids the suspicion that he would attempt to disguise the real character of the transaction; and the fact that the earnings of the slaves, as well as the reversionary title to them, are his, demonstrates that this arrangement was not made with any view to satisfy the well-known sentiments of the church against a slaveholding bishop. It is manifest from this statement, which is believed to be strictly correct, that Bishop Andrew's connexion with slavery is—not as the protest intimates, merely an "assumption," but that he is the owner of slaves in the full and proper sense of that term. His title was acquired by bequest, by inheritance, and by marriage, which are by far the most common grounds of ownership in slaves. All the usual and necessary conditions of slavery have their fulfilment in the relation of these persons to Bishop Andrew. Their labor and their earnings are subject to his control, and inure to his benefit and that of his family. They are now liable, or they may be hereafter, to be sold; they and their offspring are doomed, as the case now stands, to a bondage that is perpetual, and they are liable and likely to descend to his heirs. Beyond all reasonable doubt, the condition of Bishop Andrew's slaves will be attended, while he lives, with all the alleviations—and these are many and great—which a very benevolent and Christian master can provide. Still it must be slavery. In the view of the law of the land, and of the law of the Discipline, in all its more weighty and permanent consequences to the bondman, it is and must be slavery. It was said repeatedly on the floor of the Conference, that the deed of trust had put it quite beyond Bishop Andrew's power to free his slaves, even if there were no other obstacle. So, then, should the stringent laws of Georgia against emancipation be relaxed or repealed by her next legislature, the

rule of the Discipline, which would then become imperative on Bishop Andrew, could not, and would not be satisfied, and the church must still have a slaveholding bishop in spite, not only of its known will, but of its standing laws.

It was the almost unanimous opinion of the delegates from the non-slaveholding Conferences that Bishop Andrew could not continue to exercise his Episcopal functions under existing circumstances, without producing results extensively disastrous to the church in the North; and from this opinion the brethren of the South did not dissent. For a while the hope was entertained that the difficulty would be quietly removed by his resigning his office, which it was known he had previously desired to do. But this hope was dissipated by the intelligence that the delegates from the conferences in the slaveholding States had been convened, and that they had unanimously advised him not to resign. Various efforts were then made in private to devise some method to relieve the case, but they all proved abortive, and nothing remained but that it must come before the General Conference. The Bishops themselves, in their united address to the conference, had urged it to ascertain whether there has been any departure from the essential principles "of the general itinerant superintendency," and had declared of that superintendency that "the plan of its operation is general, embracing the whole work in connexional order, and not diocesan, or sectional. Consequently any division of the work into districts, or otherwise, so as to create a particular charge, with any other view, or in any order, than as a prudential measure to secure to all the conferences the annual visits of the superintendents, would be an innovation on the system;" that "our superintendency must be itinerant, and not local;" that "it was wisely provided in the system of Methodism, from its very foundation, that it should be the duty of the superintendents 'to travel through the connexion at large.'" The question then presented itself, how the case of Bishop Andrew could be so disposed of as to preserve this itinerant general superintendency? If the General Conference had even been disposed to evade it, the consideration of it was forced upon them by the Episcopal address itself.

A diversity of sentiment existed as to the proper method of treating the case.

Some, at least, believed, perhaps few doubted, that sufficient ground existed for impeachment on a charge of "improper conduct" under the express provisions of the Discipline. The opinion was certainly entertained in several quarters that it was "improper" for the shepherd and bishop of eleven hundred thousand souls, either deliberately or heedlessly, to place himself in direct and irreconcilable conflict with the known and cherished moral sentiments of a large majority of his vast flock. Such, however, was the prevalence of moderate counsels, that no proposal was made either to impeach or punish, and such the controlling influence of forbearance and kindness, that it is believed not one word was uttered during the entire debate of nearly a fortnight de-

rogatory to the character, or justly offensive to the feelings, of Bishop Andrew. The transaction which had brought such distress upon the church, and threatened such extensive ruin, was dealt with merely as a fact—as a practical difficulty—for the removal or palliation of which it was the duty of the General Conference to provide. It was in this spirit, and for such ends, that the following preamble and resolution were passed:

"Whereas the Discipline of our church forbids the doing anything calculated to destroy our itinerant general superintendency; and whereas Bishop Andrew has become connected with slavery by marriage and otherwise, and this act having drawn after it circumstances which, in the estimation of the General Conference, will greatly embarrass the exercise of his office as an itinerant general superintendent, if not in some places entirely prevent it; therefore,

"Resolved, That it is the sense of this General Conference that he desist from the exercise of this office so long as this impediment remains.

"J. B. FINLEY,
"J. M. TRIMBLE."

The action of the General Conference was neither judicial nor punitive. It neither achieves nor intends a deposition, nor so much as a legal suspension. Bishop Andrew is still a bishop; and should he, against the expressed sense of the General Conference, proceed in the discharge of his functions, his official acts would be valid.

Such are the facts in the case of Bishop Andrew. We now proceed to notice the law. Nearly all the objections raised in the protest against the action of the General Conference may be reduced to two, viz., that that body has violated the constitutional and the statutory law of the church. That it has violated the constitutional law the protest attempts to prove, by representing its late action as a breach of what it calls "the compromise law of church on the subject of slavery;" meaning, as is supposed, the section on slavery, particularly that paragraph which relates to travelling preachers. The entire language on this subject is evidently formed so as to make the impression on any reader not intimately acquainted with the history and Discipline of the Methodist Episcopal Church, that there has been some period (whether 1804 or 1816 does not clearly appear from the protest) when the question of slavery was settled in the Methodist Episcopal Church as it was in the General Government at the adoption of the Federal Constitution; that "the confederating Annual Conferences," after a vexed and protracted negotiation," met in convention, and the section on slavery "was finally agreed to by the parties after a long and fearful struggle," as "a compact," "a treaty," which cannot be altered by the General Conference until certain constitutional restrictions are removed. So that now any interference on the part of that body with the question of slavery in the southern conferences is as unconstitutional as it is admitted

2895

would be the interference of the General Government with the question in the southern States.

After the boldness with which this doctrine is advanced, and the confidence with which it is relied upon as "the first and principal ground occupied by the minority in this protest," it will be difficult for the uninitiated to believe, that it is as unfounded in fact as it is ingenious in its "legal casuistry." It is indeed true, that the question of slavery had been long and anxiously agitated in the church, and the various General Conferences had endeavoured to adjust the matter so as to promote the greatest good of all parties; but this very fact goes to disprove the position assumed in the protest; for, as the attention of the church had been thus strongly called to the subject, if it had been the intention to guard the question of slavery by constitutional provisions, it would have been done when the church actually did meet to frame a constitution. But nothing of the kind appears. For when, in 1808, it was resolved that the General Conference, instead of consisting, as before, of all the travelling elders, should be a delegated body, and when it was determined that that body (unlike the General Government, which has no powers but such as are expressly conferred) should have all powers but such as are expressly taken away—when this vast authority was about to be given to the General Conference, among "the limitations and restrictions" imposed, there is not one word on the subject of slavery; nor was any attempt made to introduce any such restriction. The only provision anywhere established by that General Conference, of constitutional force, was the general rule forbidding the buying and selling of human beings with an intention to enslave them. So that, in direct opposition to the assertion of the protest, we maintain that the section on slavery is "a mere legislative enactment, a simple decree of a General Conference," as much under its control as any other portion of the Discipline not covered by the restrictive rules. If additional proof of the truth of this position were needed, it might be adduced in the fact that that section which the protest represents to have been settled in 1804, was not only altered at the General Conference or convention of 1808, but also at the delegated General Conferences of 1812, 1816, 1820, and 1824. And although the protest speaks of it as "usually known" by the name of the "Compromise act," the greater part of this General Conference have never heard either that appellation or that character ascribed to it until the present occasion.

But although this General Conference cannot admit that any portion of the section on slavery is constitutional in its character, and therefore could not, under any circumstances, allow the imputation of the protest that they have violated the constitution of the church, yet they do admit that it is law—law, too, which the General Conference (though possessing full powers in the premises) has never altered except at the above periods, and then, in each instance, for the further indulgence of the South. The question, then, comes up, whether this General Conference, as the protest maintains, has in effect suddenly reversed

the legislation of the church, not indeed by altering the law, but by practically disregarding it. The portion of the law particularly in question is the following paragraph:

"When any travelling preacher becomes an owner of a slave or slaves, by any means, he shall forfeit his ministerial character in our church, unless he execute, if it be practicable, a legal emancipation of such slaves, conformably to the laws of the State in which he lives."

This, it is alleged, fully covers the case of Bishop Andrew, and therefore he ought to have been left in the quiet and unquestioned enjoyment of his rights. Were it even true that proceedings, either judicial or "extra-judicial," have been had in his case, we should not hesitate to join issue here, and maintain that this law does not protect him. The protest asks, "Is there anything in the law, or its reasons, creating an exception in the instance of bishops?" We answer, there is in both. So far as judicial proceedings are concerned, the Discipline divides the church into four classes—private members, local preachers, travelling preachers, and bishops—and establishes distinct tribunals, and different degrees of responsibility for each. The section on slavery applies only to officers of the church, and therefore private members are not named at all; but special provision is made in the case of local and travelling preachers. How happens it that bishops are not named at all? Are they necessarily included in the title "travelling preachers?" In common parlance they may sometimes be thus designated, but in the Discipline it is not so understood, even in regard to matters much less important than this; in evidence of which we need only advert to the fact, that the General Conference of 1836 did not consider that the allowance of bishops was provided for under the general title of "travelling preachers," and they therefore inserted them accordingly. To explain why no mention is made of "bishops," it is not necessary, as the protest supposes, "to slander the virtuous dead of the North," as if they excluded them intentionally by a resort to deceptive and dishonorable means." It is a much more natural and reasonable explanation that, at that day, when the church could hardly tolerate slavery in any class of the ministry, "the virtuous dead," both of the North and of the South, did not dream that it would ever find its way into the Episcopacy.

But though the language of the law does not include bishops, yet if the "reason" and spirit of it did, we might be disposed to allow them the benefit of it. But this is not the case. The whole tenor of the Discipline of the Methodist Episcopal Church is adverse to slavery. Even the protest has admitted (irreconcilable as the admission is with another portion of the same instrument) that, at the time of the alleged "compact," "the whole church, by common consent, united in proper effort for the mitigation and final removal of the evil of slavery." But let the Discipline speak for itself. The mildest form in which the question at the head of the section on slavery has ever been expressed, is the present, namely, "What shall be done for the extirpation of the evil of slavery?" And the very conference of 1804, which enacted

2896.

the so-called "Compromise law," as well as that of 1800, when the paragraph relating to travelling preachers was really adopted, were each convened under a request from the preceding General Conference, that the whole church would aid that body in obtaining "full light in order to take further steps toward the eradicating this enormous evil from that part of the church of God to which they are united." It is obvious, therefore, that connexion with slavery is tolerated no further than seems necessary. In the case of ordinary travelling preachers there appeared to be a necessity for some indulgence. They might become owners of slaves in the providence of God; the laws of the States might not allow emancipation; and they had no power to choose their own place of residence. But no such "reason" could apply to a bishop, for he has always been allowed to live where he pleases. Again: travelling preachers encumbered with slaves labor among people similarly situated, and who would not, therefore, be likely to object to them on that account. But a bishop, by the constitution of the church, is required to labor in every part of the connexion; and in by far the larger portion of it the services of a slaveholding bishop would not be acceptable. So here again the "reason" of the case does not apply to a bishop. There is not, therefore, as the protest so roundly asserts, any "express" or "specific law" in the case; and therefore, as the protest itself admits, "in the absence of law it might be competent for the General Conference to act on other grounds." With the failure to prove any "specific law" authorizing a bishop to hold slave property, the third and fourth arguments of the protest, which are founded on this assumption, fail also.

But, perhaps, it is not so much the law of the Discipline which the protest claims to cover Bishop Andrew, as the law of the land. For it declares, "The rights of the legal owners of slaves in all the slaveholding States are guaranteed by the Constitution of the United States, and by the local constitutions of the States respectively, as the supreme law of the land, to which every minister and member of the Methodist Episcopal Church, within the limits of the United States Government, professes subjection, and pledges himself to submit, as an article of the Christian faith, in the common creed of the church." If by this is meant that the law of the land allows citizens to hold slaves, it is admitted. But so also it allows them to keep theatres and grog-shops; so that this is no ground of argument. But if it mean that the law of the land requires citizens to keep slaves, (the only interpretation which can make the argument available,) it is denied. And until it can be shown that the Methodist Episcopal Church by its action, legislative, judicial, or executive, requires any citizen to do what the law of the land requires him not to do, it is unjust to attempt to get up popular clamor against it, as if it came in conflict with the civil authority.

This course of reasoning has been pursued thus far, not so much because it was deemed necessary for the vindication of the conference, as to avoid sanctioning, by silence, the erroneous exposition which the protest presents of the constitution and the law of the church. For

it has been already seen that Bishop Andrew has been subjected to no trial, and no penalty has been inflicted. At present, it is plain that the conference has done nothing to depose, or even suspend Bishop Andrew. His name will appear in official publications with those of the other bishops, and with them he will derive his support from the funds of the church. In order to make out that the General Conference had no right to take such action as they have in Bishop Andrew's case, the authors of the protest have been driven to the necessity of claiming for the Methodist Episcopacy powers and prerogatives never advanced before, except by those who wished to make it odious, and which have always been repudiated by its chosen champions. The protest maintains that "the Episcopacy is a co-ordinate branch of the government;" for which no argument is adduced save this—that it is, in general, the province of bishops to ordain bishops. A sufficient answer to which may be found in the principle of Methodist polity, stated in the address of the bishops to the present General Conference, that orders (the principle applies to bishops, though not expressly named, as well as to elders and deacons) are "conferred" by the election, and only "confirmed" by the ordination; and that when the election has been made, the bishop "has no discretional authority; but is under obligation to ordain the person elected, whatever may be his own judgment of his qualifications." And if all the bishops should refuse to ordain the person elected by the General Conference, that body would unquestionably have the right to appoint any three elders to ordain him, as is provided "in case there be no bishop remaining in our church." The protest declares, that "the bishops are, beyond doubt, an integral, constituent part of the General Conference, made such by law and the constitution." If the words "General Conference" be not a mere clerical error, the assertion is sufficiently refuted by the answer in the Discipline to the question, "Who shall compose the General Conference?" and by the practice of the bishops themselves, who disclaim a right to give even a casting vote, or even to speak in General Conference, except by permission. The protest maintains that, "in a sense by no means unimportant, the General Conference is as much the creature of the Episcopacy, as the bishops are the creatures of the General Conference." The proof adduced for which is, that "constitutionally the bishops alone have the right to fix the time of holding the Annual Conferences; and should they refuse or neglect to do so, no Annual Conference could meet according to law; and, by consequence, no delegates could be chosen, and no General Conference could be chosen, or even exist." That is to say, because, for the convenience of the bishops in performing their tour, they are allowed to say at what time in the year an Annual Conference shall meet, therefore they have the power to prevent such body from meeting at all, though, from its very name, it must meet once a year; that, by preventing the meeting of Annual Conferences, they might prevent the organization of any General Conference; and thus, escaping all accountability for their delinquencies, might continue to

lord it over God's heritage, until themselves and the church should die a natural death. We can easily perceive, were this reasoning legitimate, that the bishops might destroy, not only the General Conference, but the church; but are at a loss to discover how it proves that they can create either. We must protest against having any argument of ours adduced as analogous to this.

The protest maintains that "the General Conference has no right, power, or authority, ministerial, judicial, or administrative," in any way to subject a bishop "to any official disability whatever, without the formal presentation of a charge or charges, alleging that the bishop to be dealt with has been guilty of the violation of some law, or at least some disciplinary obligation of the church, and also upon conviction of such charge, after due form of trial." To those who are not familiar with the Methodist economy, this might seem plausible. But it is, in reality, an attempt to except, from the action of a general system, those who, least of all, ought to be excepted. The cardinal feature of our polity is the itinerancy.

To sustain this system, it is essential that the classes should receive the leaders that are appointed by the preacher, that the societies should receive the preachers that are stationed over them by the bishops, that the Annual Conferences should receive the bishops that are sent to them by the General Conference. Unless, therefore, the utmost care be taken by those who have authority in the premises, that these parties shall severally be acceptable to those among whom they labor, there is great danger that those who are injured by such neglect may seek redress by revolutionary measures. For this reason the officers of the Methodist Church are subjected regularly to an examination unknown, it is believed, among other denominations. Not only is provision made for formal trials, in cases of crimes and misdemeanors, but there is a special arrangement for the correction of other obstructions to official usefulness. At every Annual Conference the character of every travelling preacher is examined; at every General Conference that of every bishop. And the object is to ascertain, not merely whether there is ground for the formal presentation of charges, with a view to a regular trial, but whether there is "any objection," any thing that might interfere with the acceptance of the officer in question among his charge. And it is doctrine novel and dangerous in the Methodist Church, that such difficulties cannot be corrected unless the person objected to be formally arraigned under some specific law, to be found in the concise code of the discipline—doctrine not the less dangerous, because it is applied where "objections," unimportant in others, might be productive of the most disastrous consequences. Will the Methodist Church sanction the doctrine, that while all its other officers, of whatever name or degree, are subjected to a sleepless supervision; are counselled, admonished, or changed, "as necessity may require, and as the discipline directs," a bishop, who decides all questions of law in Annual Conferences; who, of his mere motion and will, controls the work and the destiny of four thousand ministers; who appoints and changes at plea-

sure the spiritual guides of four millions of souls; that the depository of these vast powers, whose slightest indiscretions or omissions are likely to disturb the harmony, and even impair the efficiency, of our mighty system of operations, enjoys a virtual impunity for all delinquencies or misdoings not strictly criminal.

It is believed that an attempt to establish such an episcopal supremacy would fill not only a part, but the whole, of the Church "with alarm and dismay." But this doctrine is not more at variance with the genius of Methodism than it is with the express language of the Discipline, and the exposition of it by all our standard writers. The constitution of the Church provides that "the General Conference shall have full powers to make rules and regulations for our Church," under six "limitations and restrictions," among which the only one relating to Episcopacy is this: "They shall not change or alter any part or rule of our government so as to do away Episcopacy, or destroy the plan of our itinerant general superintendency." As there is nothing in the restrictive rules to limit the full powers of the General Conference in the premises, so is there nothing in the special provision respecting the responsibility of a bishop. In reply to the question, "to whom is a bishop amenable for his conduct," the Discipline declares, "to the General Conference, who have power to expel him for improper conduct, if they see it necessary." And this, be it remembered, is all that is said respecting the jurisdiction over a bishop, with the exception of a rule for his trial, in the interval of a General Conference, if he be guilty of immorality. In full accordance with the plain meaning of these provisions is the language of all the standard writers on Methodist polity.

Bishop Emory—a man of whom it is no injustice to the living or the dead to say, that he was a chief ornament and light of our Episcopacy; that he brought to the investigation of all ecclesiastical subjects a cool, sagacious, powerful, practical intellect—fully sustains the positions we have assumed in behalf of the powers of the General Conference over the bishops of our Church. He gives an unqualified assent to the following passages from the notes to the Discipline, prepared by Bishops Asbury and Coke at the request of the General Conference: "They (our bishops) are entirely dependent on the General Conference;" "their power, their usefulness, themselves, are entirely at the mercy of the General Conference."

Dr. Emory also quotes some passages from a pamphlet by the Rev. John Dickens, which, he says, was published by the unanimous request of the Philadelphia Conference, and may be considered as expressing the views both of that Conference and of Bishop Asbury, his intimate friend. Mr. Dickens affirms, that the bishops derive their power from the election of the General Conference, and not from their ordination; and that the Conference has, on that ground, power to remove Bishop Asbury and appoint another, "if they see it necessary." He affirms that Bishop Asbury "derived his official power from the Conference, and therefore his office is at their disposal." Mr. Asbury

was "responsible to the General Conference, who had power to remove him if they saw it necessary;" "he is liable every year to be removed."

The above quotations show very clearly the sentiments of Asbury and Coke, and Dickens on this question; men chiefly instrumental in laying the foundations of our polity.

Equally clear and satisfactory is the testimony of another venerable bishop, who still lives in the full exercise of his mental powers and benignant influence, to guide and bless the Church: "The superintendents now have now power in the Church above that of elders, except what is connected with presiding in the Conference, fixing the appointments of the preachers, and ordaining;" "they are the servants of the elders, and go out and execute their commands;" "the General Conference may expel a bishop not only for immoral, but for 'improper conduct,' which means a small offence below a crime; for which not even a child or a slave can be expelled but after repeated admonitions;" "the travelling preachers gave the bishop his power, they continue it in his hands, and they can reduce, limit, or transfer it to other hands whenever they see cause." Such is the language of Bishop Hedding, who only concurs in the moderate, truly Methodistic, views of Bishops Asbury, Coke, and Emory.

It is believed that this statement of the facts and the law in the case will afford a satisfactory answer to all the positions and reasonings of the protest; and, after having thus presented it, the majority are perfectly willing to abide "the decision of our cotemporaries, and of posterity." They cannot, however, close these remarks without expressing their regret that the minority, not content with protesting against the action of the General Conference as "lawless," as "without law, and contrary to law," as such "a violation of the compromise law" that "the public faith of this body can no longer be relied upon as the guarantee for the redemption of the pledge," "that there shall be no further curtailment of right as regards the southern ministry;" that, not content with thus harshly assailing the proceedings of the General Conference, they have even refused to the bishops, whom they have invested with such exalted prerogatives, the quiet possession of their thoughts and feelings, but have thrown out the significant intimation "that any bishop of the Church, either violating, or submitting to the violation of the compromise charter of union between the North and South, without proper and public remonstrance, cannot be acceptable in the South, and need not appear there." We shall be slow to believe, that even their constituents will justify them in thus virtually deposing, not one bishop only, but several, by a process which is even worse than "extra judicial."

When all the law and the facts of the case shall have been spread before an impartial community, the majority have no doubt that they will fix "the responsibility of division," should such an unhappy event take place, "where in justice it belongs." They will ask: Who first introduced slavery into the Episcopacy? And the answer will be: Not the General Conference. Who opposed the attempt to withdraw it

from the Episcopacy? Not the General Conference. Who resisted the measure of peace that was proposed—the mildest that the case allowed? Not the majority. Who first sounded the knell of division, and declared that it would be impossible longer to remain under the jurisdiction of the Methodist Episcopal Church? Not the majority.

The proposition for a peaceful separation, (if any must take place,) with which the protest closes, though strangely at variance with much that precedes, has already been met by the General Conference. And the readiness with which that body (by a vote which would doubtless have been unanimous but for the belief which some entertained of the unconstitutionality of the measure) granted all that the Southern brethren themselves could ask, in such an event, must forever stand as a practical refutation of any assertion that the minority have been subjected to the tyranny of a majority.

Finally, we cannot but hope that the minority, after reviewing the entire action of the conference, will find that, both in their declaration and their protest, they have taken too strong a view of the case; and that, by presenting it in its true light before their people, they may be able to check any feelings of discord that may have arisen, so that the Methodist Episcopal Church may still continue as one body, engaged in its proper work of "spreading Scriptural holiness over these lands."

J. P. DURBIN, *Chairman.*
GEO. PECK,
CHAS. ELLIOTT.

Thursday, June 6. Bishop Soule presented the following communication:

To the General Conference.

REV. AND DEAR BRETHREN: As the case of Bishop Andrew unavoidably involves the future action of the superintendents, which, in their judgment in the present position of the Bishop, they have no discretion to decide upon, they respectfully request of this General Conference official instruction, in answer to the following questions:

1. Shall Bishop Andrew's name remain as it now stands in the Minutes, Hymn Book, and Discipline, or shall it be struck off of these official records?

2. How shall the Bishop obtain his support; as provided for in the form of Discipline, or some other way?

3. What work, if any, may the Bishop perform; and how shall he be appointed to the work?

JOSHUA SOULE, BEVERLY WAUGH,
ELIJAH HEDDING, THOMAS A. MORRIS.

J. T. Mitchell offered the following resolutions, in reply to the several inquiries of the superintendents:

1. Resolved, as the sense of this conference, That Bishop Andrew's name stand in the Minutes, Hymn Book, and Discipline, as formerly.

2. Resolved, That the rule in relation to the support of a bishop and his family applies to Bishop Andrew.

3. Resolved, That whether in any, and if any, in what work, Bishop Andrew be employed, is to be determined by his own decision and action in relation to the previous action of this conference in his case.

D. B. Randall offered an amendment, which was laid on the table.

The yeas and nays were ordered. During the call, J. G. Dow, F. G. Hibbard, and G. Smith asked to be excused from voting. Conference refused to excuse them.

The first resolution was adopted—ayes 155, noes 17.

A motion to adjourn was made and lost.

The second resolution was read, and the yeas and nays were ordered. During the call E. Robinson objected to being compelled to vote. A motion was made to excuse him, but was lost. F. G. Hibbard and J. Spaulding asked to be excused from voting. Conference refused to excuse them.

The resolution was adopted—yeas 152, nays 14.

A motion to adjourn was made and lost.

The third resolution was read. J. T. Peck offered a substitute, which, on motion of J. S. Porter, was laid on the table. H. Slicer offered a substitute, which, on motion of T. Crowder, was laid on the table. J. A. Collins offered a substitute, which, on motion of J. T. Peck, was laid on the table. T. Crowder moved the previous question, which prevailed. The yeas and nays were ordered, and the vote taken.

D. B. Randall, who voted in the negative, asked and obtained leave to change his vote, not having understood the question; being sick and obliged to be absent during a part of the discussion. He then voted in the affirmative.

The resolution was adopted—ayes 103, noes 67.

Saturday, June 8.—On motion of R. Paine, the special order of the day was dispensed with, and the report of the select committee of nine, on the declaration of fifty one brethren from the Southern Conferences was taken up. The report was read again.

C. Elliott moved the adoption of the report of the committee of nine. The first resolution was read. The rule was suspended to allow P. Cartwright to extend his remarks. On the first resolution the previous question was moved, and the call was sustained. The yeas and nays were ordered and taken—yeas 147, noes 22.

On motion of R. Paine, the vote by yeas and nays was reconsidered. On further motion, the resolution was amended, by striking out the words, "delegates from the," and inserting "annual." The discussion was resumed on the amended resolution.

On motion, it was resolved to meet again at half-past three o'clock this afternoon.

The previous question was moved on the amended resolution, and the call was sustained, and the resolution adopted by one hundred and thirty-five affirmative, to eighteen negative votes.

On the second resolution, J. T. Mitchell moved to amend by inserting "and private members." The amendment was laid on the table.

On motion of J. A. Collins, the session was prolonged fifteen minutes.

The second resolution was adopted by one hundred and thirty-nine affirmative, to seventeen negative votes.

A motion to adjourn was lost.

The yeas and nays were ordered on the third resolution.

The previous question was moved, and the call sustained.

The session was further prolonged until the call of the roll was completed, and the vote finished.

The third resolution was adopted by one hundred and forty-seven yeas to twelve nays.

Adjourned with the benediction by brother Pickering.

Saturday afternoon, June 8.—Conference met at half-past three o'clock, pursuant to adjournment, Bishop Morris in the chair, and was opened with religious exercises by brother Simpson.

The journal of the morning was read and approved.

On motion of M. Simpson, G. Peck and C. Elliott were put in place of S. Olin and L. L. Hamline, on the select committee of three to prepare a statement of the action of this Conference in the case of Bishop Andrew.

On motion, the special order of business, on which Conference adjourned this morning, was resumed.

The fourth resolution of the report of the select committee of nine was adopted.

On the fifth resolution the yeas and nays were ordered. It was adopted by one hundred and fifty-three yeas to thirteen nays.

The sixth, seventh, eighth, and ninth resolutions were adopted.

To the tenth resolution D. B. Randall moved an amendment, which was adopted, and is incorporated with the resolution.

The eleventh and twelfth resolutions were adopted. On motion, the order of the eleventh and twelfth resolutions was inverted, so as to make the latter stand first.

The preamble of the report was adopted.

The blank in the seventh resolution was filled up with "three," and N. Bangs, G. Peck, and G. Filmore, were appointed commissioners under the seventh resolution. G. Filmore tendered his resignation, which was accepted, and J. B. Finley appointed in his place.

On motion of W. Winans, the secretary was requested to prepare and furnish to J. Early a copy of the "declaration" so often referred to, and of the report just adopted.

B. M. Drake offered a resolution, which, on motion, was laid on the table.

J. Porter moved a reconsideration of the first resolution with a view of offering a substitute. The motion to reconsider was laid on the table.

The report as a whole was adopted. It is as follows:

The select committee of nine, to consider and report on the declaration of the delegates from the conferences of the slaveholding States, beg leave to submit the following report:

Whereas a declaration has been presented to this General Confer-

rence, with the signatures of fifty-one delegates of the body, from thirteen Annual Conferences in the slaveholding States, representing that, for various reasons enumerated, the objects and purposes of the Christian ministry and church organization cannot be successfully accomplished by them under the jurisdiction of this General Conference as now constituted; and

Whereas, in the event of a separation, a contingency to which the declaration asks attention as not improbable, we esteem it the duty of this General Conference to meet the emergency with christian kindness and the strictest equity; therefore,

Resolved, by the delegates of the several Annual Conferences in General Conference assembled,

1. That, should the Annual Conferences in the slaveholding States find it necessary to unite in a distinct ecclesiastical connexion, the following rule shall be observed with regard to the northern boundary of such connexion: All the societies, stations, and conferences adhering to the church in the South, by a vote of a majority of the members of said societies, stations, and conferences, shall remain under the unmolested pastoral care of the Southern Church; and the ministers of the Methodist Episcopal Church shall in no wise attempt to organize churches or societies within the limits of the Church South, nor shall they attempt to exercise any pastoral oversight therein; it being understood that the ministry of the South reciprocally observe the same rule in relation to stations, societies, and conferences adhering, by a vote of a majority, to the Methodist Episcopal Church; provided, also, that this rule shall apply only to societies, stations, and conferences bordering on the line of division, and not to interior charges, which shall in all cases be left to the care of that church within whose territory they are situated.

2. That ministers, local and travelling, of every grade and office in the Methodist Episcopal Church, may, as they prefer, remain in that Church, or, without blame, attach themselves to the Church South.

3. Resolved, by the delegates of all the annual conferences in General Conference assembled, That we recommend to all the annual conferences, at their first approaching sessions, to authorize a change of the sixth restrictive article, so that the first clause shall read thus: "They shall not appropriate the produce of the Book Concern, nor of the chartered fund, to any other purpose other than for the benefit of the travelling, supernumerary, superannuated, and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined upon by the votes of two-thirds of the members of the General Conference."

4. That whenever the annual conferences, by a vote of three-fourths of all their members voting on the third resolution, shall have concurred in the recommendation to alter the sixth restrictive article, the agents at New York and Cincinnati shall, and they are hereby authorized and directed to, deliver over to any authorized agent or appointee of the Church South, should one be organized, all notes and

book accounts against the ministers, Church members, or citizens within its boundaries, with authority to collect the same for the sole use of the Southern Church, and that said agents also convey to the aforesaid agent or appointee of the South all the real estate, and assign to him all the property, including presses, stock, and all right and interest connected with the printing establishments at Charleston, Richmond, and Nashville, which now belong to the Methodist Episcopal Church.

5. That when the annual conferences shall have approved the aforesaid change in the sixth restrictive article, there shall be transferred to the above agent of the Southern Church so much of the capital and produce of the Methodist Book Concern as will, with the notes, book accounts, presses, &c., mentioned in the last resolution, bear the same proportion to the whole property of said concern that the travelling preachers in the Southern Church shall bear to all the travelling ministers of the Methodist Episcopal Church; the division to be made on the basis of the number of travelling preachers in the forthcoming minutes.

6. That the above transfer shall be in the form of annual payments of $25,000 per annum, and specifically in stock of the Book Concern and in southern notes and accounts due the establishment, and accruing after the first transfer mentioned above; and until the payments are made, the Southern Church shall share in all the nett profits of the Book Concern, in the proportion that the amount due them, or in arrears, bears to all the property of the concern.

7. That Nathan Bangs, George Peck, and James B. Finley be, and they are hereby, appointed commissioners to act in concert with the same number of commissioners appointed by the southern organization, (should one be formed,) to estimate the amount which will fall due to the South by the preceding rule, and to have full powers to carry into effect the whole arrangements proposed with regard to the division of property, should the separation take place. And if by any means a vacancy occurs in this board of commissioners, the Book Committee at New York shall fill said vacancy.

8. That whenever any agents of the Southern Church are clothed with legal authority or corporate power to act in the premises, the agents at New York are hereby authorized and directed to act in concert with said southern agents, so as to give the provisions of these resolutions a legally binding force.

9. That all the property of the Methodist Episcopal Church in meeting-houses, parsonages, colleges, schools, conference funds, cemeteries, and of every kind within the limits of the Southern organization, shall be forever free from any claim set up on the part of the Methodist Episcopal Church, so far as this resolution can be of force in the premises.

10. That the church so formed in the South shall have a common right to use all the copy-rights in possession of the Book Concerns at

New York and Cincinnati, at the time of the settlement by the commissioners.

11. That the book agents at New York be directed to make such compensation to the conferences south, for their dividend from the chartered fund, as the commissioners above provided for shall agree upon.

12. That the bishops be respectfully requested to lay that part of this report requiring the action of the annual conferences before them as soon as possible, beginning with the New York Conference.

Extracts from the address of the Bishops to the General Conference of 1844.

It should never be forgotten that those fundamental principles which define and limit the powers of the General Conference, and secure the privileges of every minister and member, were settled by the body of ministers assembled in conventional form, with great unanimity, after long, deliberate, and careful investigation. And it is equally worthy of regard, that the church, with almost unanimous consent, and with heartfelt satisfaction, looked to the system as a haven of safety, and a dwelling place of "quietness and assurance."

In this happy state of things, embracing all the essential elements of the voluntary principle, the ministers dependant upon the people whom they served in the gospel word and ordinances, and the people united to their ministers by the bonds of affection and esteem, the work of the Lord steadily advanced; new and extensive fields of labor were constantly opening before us; the borders of our Zion were greatly enlarged; and thousands and tens of thousands were brought under divine influence, and joined in the communion of the church. The events of each succeeding year have afforded additional proofs of the soundness of the system, and of its adaptation to the ends for which it was designed.

The general itinerant superintendency, vitally connected, as it is believed to be, with the effective operation, if not with the very existence, of the whole itinerant system, cannot be too carefully examined or too safely guarded. And we have no doubt but you will direct your inquiries into such channels as to ascertain whether there has been any departure from its essential principles, or delinquency in the administration in carrying it into execution; and in case of the detection of error, to apply such correction as the matter may require.

There are several points in this system which are of primary importance, and on that account should be clearly understood. The office of a bishop or superintendent, according to our ecclesiastical system, is almost exclusively executive; wisely limited in its powers, and guarded by such checks and responsibilities as can scarcely fail to secure the ministry and membership against any oppressive measures, even should these officers so far forget the sacred duties and obligations of their holy vocation as to aspire to be lords over God's heritage.

So far from being irresponsible in their office, they are amenable to

the General Conference, not only for their moral conduct, and for the doctrines they teach, but also for the faithful administration of the government of the church, according to the provisions of the Discipline, and for all decisions which they make on questions of ecclesiastical law. In all these cases this body has original jurisdiction, and may prosecute to final issue in expulsion, from which decision there is no appeal.

With these safeguards thrown around them, we trust the church has nothing to fear from the exercise of that authority which has been committed to them in trust, to be used for the conservation of the whole body, and for the extension of the Redeemer's kingdom, and not to oppress or afflict any. Without entering minutely into the details of what is involved in the superintendency, as it is constituted in our church, it is sufficient for our present design to notice its several departments. 1st. Confirming orders, by ordaining deacons and elders. We say "confirming," because the orders are conferred by another body, which is independent of the Episcopal office, both in its organization and action. This confirmation of orders, or ordination, is not by virtue of a distinct and higher order. For, with our great founder, we are convinced that bishops and presbyters are the same order in the Christian ministry. And this has been the sentiment of the Wesleyan Methodists from the beginning. But it is by virtue of an office constituted by the body of presbyters, for the better order of discipline, for the preservation of the unity of the church, and for carrying on the work of God in the most effectual manner. The execution of this office is subject to two important restrictions, which would be very irrelevant to prelacy, or diocesan episcopacy, constituted on the basis of a distinct and superior order. The latter involves independent action in conferring orders, by virtue of authority inherent in, and exclusively appertaining to, the Episcopacy. But the former is a delegated authority to confirm orders, the exercise of which is dependant upon another body. The bishop can ordain neither a deacon nor an elder without the election of the candidate by an Annual Conference; and in case of such election he has no discretional authority, but is under obligation to ordain the person elected, whatever may be his own judgment of his qualifications. These are the two restrictions previously alluded to.

This is certainly a wise and safe provision, and should never be changed or modified so as to authorize the bishops to ordain without the authority of the ministry. With these facts in view, it is presumed that it will be admitted by all well-informed and candid men, that, so far as the constitution of the ministry is concerned, ours is a "moderate Episcopacy."

2d, Presiding in the General and Annual Conferences. But there is a marked difference in the relations the President sustains to these two bodies. The General Conference being the highest judicatory of the church, is not subject to the official direction and control of the President any further than the order of business and the preservation

of decorum are concerned; and even this is subject to rules originating in the body. The right to transact business, with respect to matter, mode, and order of time, is vested in the conference, and limited only by constitutional provisions; and of these provisions, so far as their official acts are concerned, the conference, and not the president, must be the judge.

II. Having noticed in what the superintendency chiefly consists, it is proper to observe, that the plan of its operation is general, embracing the whole work in connectional order, and not diocesan, or sectional. Consequently any division of the work into districts, or otherwise, so as to create a particular charge, with any other view, or in any order, than as a prudential measure to secure to all the conferences the annual visits of the superintendents, would be an innovation on the system.

III. If we have taken a correct view of this subject, our superintendency must be itinerant, and not local. It was wisely provided in the system of Methodism, from its very foundation, that it should be the duty of the superintendent "to travel through the connexion at large." And although the extension of geographical boundaries, and the great increase of the Annual Conferences, have made it necessary to increase the number of the bishops, still the duty required, and the obligation to perform it, remain the same.

That such a system as our itinerant ministry could not be preserved in harmonious and efficient operation under the direction of local bishops is too obvious to require proof. If we preserve a travelling ministry, we must have travelling superintendents. They must add to their official authority the power of their example. Remove the latter, and the former will be divested of the chief element of its strength.

It is, indeed, a work which requires a measure of the zeal and self-sacrificing spirit of the Apostles, and first ministers of Christ, who followed them. And we devoutly pray that the ministry may never so far relax in the spirit and power of the great commission: "Go ye into all the world, and preach the Gospel to every creature," as to lack men well qualified for this vocation—men whose minds, grasping the work of God in all its length and breadth, will count nothing dear to themselves as appertaining to the present life; but giving themselves wholly to God and his church, will live, and labor, and suffer for the promotion of Christ's kingdom and the salvation of souls.

With the foregoing remarks on the duties and responsibilities of the superintendents, we submit to your consideration the importance of having this department supplied with such a number of effective men as will enable them, in consecutive order, to travel through the whole connexion without subjecting any one to such a continued weight of care and labor as is sufficient to prostrate the mental and physical energies of the strongest constitution, and thereby indirectly defeat the ends designed to be accomplished; and, on the other hand, to guard against the increase of the number beyond the actual demands of the work. In whatever light we view it, but especially in the light of ex-

ample, the existence of a sinecure in the Episcopacy should be regarded as no ordinary evil.

JOSHUA SOULE,
ELIJAH HEDDING,
JAMES O. ANDREW,
B. WAUGH,
THOS. A. MORRIS.

New York, May 2, 1844.

Extracts from the journal of the General Conference of 1848.

May 6. The committee on the State of the church reported further, in part, as follows:

The committee on the state of the church respectfully beg leave to present a further report, in part, and to recommend to the General Conference the adoption of the following resolution:

Resolved, That the Bishops of the Methodist Episcopal Church be, and they are hereby, respectfully requested to furnish to this General Conference a statement in writing of the instances in which they consider that the plan contingently provided by the last General Conference has been violated by the authorities of the Methodist Episcopal Church South, by sending ministers and organizing societies within the bounds of the territory of this conference.

Respectfully submitted.

GEORGE PECK, *Chairman.*

Moved by brother Porter to strike out the term bishop in the resolution of the report, and insert a special committee of five.

Brother Jesse T. Peck offered a substitute for the resolution of the committee, which is as follows:

Resolved, That the Bishops be requested to furnish the Committee on the state of the Church with any facts which may be in their possession, in relation to alleged infractions of the division of the line. Adopted.

May 13. The Committee on the state of the Church reported further, in part, as follows:

The Committee on the state of the Church beg leave further to report, in part:

1. That they have had under consideration a communication from the Commissioners of the Methodist Episcopal Church South in relation to a division of the property of the Book Concern, and the Charter Fund, and that they cannot act advisedly upon the communication in question until they receive the official reports of all the Annual Conferences in relation to the change of the sixth restrictive rule, as recommended by the last General Conference.

2. The committee would ask the attention of the conference to the necessity of an order pointing out some plan of conference with the aforesaid commissioners, either by appointing a committee of t

confer with the commissioners and report the result to this conference, or by authorizing the Committee on the State of the Church to invite them to a conference. The former plan would save time, and would, in the judgment of your committee, be preferable.

Respectfully submitted,

GEORGE PECK, *Chairman.*

The report was adopted, and the committee instructed to invite the commissioners to a conference with them, or a committee of their own number, as they shall deem best.

May 18. The Committee on the state of the Church presented a report on the state of the vote to alter the sixth restrictive rule, to the effect that the number of votes required by the Discipline to change said rule had not been given.

Moved to receive the report, and order it to be entered upon the Journal of Reports. Agreed to.

May 26. Brother Simpson offered the following substitute, which was acted upon section by section. The previous question was ordered.

Brothers Roszel, Durbin, and Kennaday, asked to be excused from voting, but were not excused.

An appeal from the decision of the chair, that a motion to reconsider the vote on the previous question is out of order, was taken. The decision of the chair was sustained.

Moved to take the substitute section by section.

1st section. The report of the select committee of nine, on the declaration of the delegates in the slaveholding States, adopted by the General Conference of 1844, of which the memorialists complain, and the operation of which deprived them of their privileges as members of the Methodist Episcopal Church, was intended to meet a necessity which it was alleged might arise, and was given as a peace offering to secure harmony on our southern border.

This section was adopted by the following vote—ayes 133, noes 5.

Sec. 2. It was further made dependent, first upon the concurrence of three-fourths of the members of the several Annual Conferences, in reference to a part of its regulations.

This section was adopted by the following vote—ayes 124, noes 16.

Sec. 3. And, secondly, upon the observance of certain provisions respecting a boundary by the distinct ecclesiastical connexion separating from us, should such connexion be formed.

This section was adopted by the following vote—ayes 128, noes 10.

Sec. 4. Without waiting, as this conference believes, for the occurrence of the anticipated necessity, for which the plan was framed, action was taken in the premises by the southern delegates.

This section was adopted by the following vote—ayes 131, noes 6.

Sec. 5. The annual conferences, by their votes officially received, have refused to concur with that part of the plan which was submitted to them.

It was adopted by the following vote—ayes 123, noes 15.

Sec. 6. And the provisions respecting a boundary have been violated by the highest authorities of said connexion, which separated from us, and thereby the peace and harmony of many of the societies in our southern border have been destroyed.

This section was adopted by the following vote—ayes 135, noes 4.

Sec. 7. Therefore, in view of these facts, as well as for the principles contained in the preceding declarations, there exists no obligation on the part of this conference to observe the provisions of said plan.

This section was adopted by the following vote—ayes 127, noes 13.

Sec. 8. And it is hereby declared null and void.

This section was adopted by the following vote—ayes 134, noes 9.

The conference voted to take the vote on the preamble in the ordinary way. The preamble was adopted.

JUNE 1.

The final report of the Committee on the state of the Church was read.

Moved to change the words "slaveholding conferences," for "conferences in the slaveholding States." Carried.

Moved to adopt the report as a whole.

The previous question ordered. The report was adopted.

Final report on the state of the Church.

The Committee on the state of the Church, after a full and careful examination of all the sources of information within their reach, including, as they believe, all that are essential to a just understanding of the subjects herein after named, do recommend to this body the adoption of the following as their final report:

1. We claim that the Methodist Episcopal Church, South, exists as a distinct and separate ecclesiastical communion, solely by the act and deed of the individual ministers and members constituting said church.

In support of this position we set forth the following facts: On the fifth day of June, one thousand eight hundred and forty-four, John Early, W. A. Smith, Thomas Crowder, and Leroy M. Lee, of the Virginia conference; H. B. Bascom, William Gunn, H. H. Kavanaugh, Edward, Stevenson, B. T. Crouch, and G. W. Brush, of the Kentucky conference; W. W. Redman, William Patton, J. C. Berryman, and J. M. Jameson, of the Missouri conference; E. F. Sevier, S. Patton, and Thomas Stringfield, of the Holston conference; G. F. Pierce, William J. Parks, L. Pierce, J. W. Glenn, J. L. Evans, and A. B. Longstreet, of the Georgia conference; James Jamieson, Peter Doub, and B. T. Blake, of the North Carolina conference; J. Stamper, of the Illinois conference; G. W. D. Harris, William M'Mahan, Thomas Joyner, and S. S. Moody, of the Memphis conference; John C. Parker, William P. Radcliffe, and Andrew Hunter, of the Arkansas conference; William Winans, B. M. Drake, John Lane, and G. M.

Rogers, of the Mississippi conference; Littleton Fowler, of the Texas conference; Jesse Boring, Jefferson Hamilton, W. Murrah, and G. Garrett, of the Alabama conference; Robert Paine, J. B. M'Ferrin, A. L. P. Green, and T. Maddin, of the Tennessee conference; and W. Capers, William M. Wightman, Charles Betts, S. Dunwody, and H. A. C. Walker, of the South Carolina conference, did present to the General Conference, then in session in the city of New York, the following declaration, to wit:

"That the continued agitation of the subject of slavery and abolition in a portion of the church; the frequent action on that subject in the General Conference; and especially the extra-judicial proceedings against Bishop Andrew, which resulted, on Saturday last, in the virtual suspension of him from his office as superintendent, must produce a state of things in the South which renders a continuance of the jurisdiction of that General Conference, over these conferences, inconsistent with the success of the ministry in the slaveholding States;" from which it is evident that they sought their remedies for alleged grievances, not in any constitutional acts, but in a violation of the integrity of the Methodist Episcopal Church.

And further, on the sixth day of June, in the year above written, the above named gentlemen and N. C. Berryman, of the Illinois conference; I. T. Cooper, W. Cooper, T. J. Thomson, and Henry White, of the Philadelphia conference; E. W. Sehon, of the Ohio conference; and T. Neal and T. Sovereign, of the New Jersey conference, in addition, presented a protest to the above named General Conference against its action in the case of Bishop Andrew, in which they assert: "If the compromise law be either repealed, or allowed to remain a dead letter, the South cannot submit, and the absolute necessity of a division is already dated." Now, while we wholly deny the existence of any "compromise law," in the sense here claimed, the indication in this extract, and indeed in the whole document, of a purpose upon the part of those protesting brethren to secure a division of the church, is too plain to be mistaken.

And further, at the close of the General Conference, on the eleventh day of June, and year above mentioned, fifty-one of the above named brethren assembled in the city of New York, and, by formal resolution, recommended to the Southern Conferences the appointment of delegates to a Convention, to commence in Louisville, Kentucky, on the first day of May, one thousand eight hundred and forty-five; said delegates to be instructed on the points on which action is contemplated, conforming their instructions, as far as possible, to the opinions and wishes of the membership within their several conference bounds. And the said brethren issued from this unauthorized meeting an address, in which they call the attention of the Southern Methodists "to the proscription and disability under which the southern portion of the church must, of necessity, labor, in view of the action alluded to, unless some measures are adopted to free the minority of the South from the oppressive jurisdiction of the majority of the North in this respect;" and

they declare, "that they regard a separation at no distant day as inevitable." There is, therefore, no room to doubt that the appointed Louisville Convention was one of those leading "measures" adopted by these fifty-one brethren, for the express purpose of freeing the minority of the South from what they are pleased to term "the oppressive jurisdiction of the majority in the North," and that the contemplated separation, if it actually occurred, must be the legitimate result of these premature preliminary arrangements.

And further, the several annual conferences now included in the Church South, did, at their meetings, successively, of their own will and accord, vote to approve the holding of the Louisville Convention, for the purposes proposed by the members of the aforesaid meeting at New York, appointed delegates to said Convention, and, in various forms of expression directly assumed, as far as they were able, the responsibility of the dismemberment of the church, evidently contemplated in the appointment of said Louisville Convention.

In the mean time Bishop Soule wrote to Bishop Andrew, requesting him to resume Episcopal functions, and, in the character and office of a bishop, to attend the sessions of Annual Conferences, which he did, though said act was clearly in contravention of the expressed will of the General Conference, "that he desist from the exercise of the" Episcopal "office so long as the impediment" of slaveholding "remained." By which acts both Bishop Soule and Bishop Andrew openly repudiated the authority of the General Conference of the Methodist Episcopal Church.

And further, in the convention assembled at Louisville, May, one thousand eight hundred and forty-five, delegates from the following conferences, namely, Kentucky, Missouri, Holston, Tennessee, North Carolina, Memphis, Arkansas, Virginia, Mississippi, Texas, Alabama, Georgia, South Carolina, Florida, and Indian Mission, Bishops Soule and Andrew presiding, did formally resolve, "That it is right, expedient, and necessary, to erect the Annual Conferences represented in this convention into a distinct ecclesiastical connexion, separate from the jurisdiction of the General Conference of the Methodist Episcopal Church, as at present constituted," and they did "solemnly declare the jurisdiction hitherto exercised over said Annual Conferences by the General Conference of the Methodist Episcopal Church entirely dissolved; and that said Annual Conferences shall be, and they hereby are, constituted a separate ecclesiastical connexion." Accordingly a delegated General Conference from the Annual Conferences above named, held at Petersburgh, Virginia, May, one thousand eight hundred and forty-six, did assume the powers and privileges of authorized representatives of a separate ecclesiastical connexion, under the style and denomination of "the Methodist Episcopal Church South," to which Church many of the former ministers and members of the Methodist Episcopal Church, some evidently from choice, and others from the force of circumstances which they felt themselves unable to resist,

did, formally or informally, attach themselves, thereby withdrawing themselves from the Methodist Episcopal Church.

Finally, while a clearly marked line of history, extending from the first named declaration to the final action of the General Conference of the Methodist Episcopal Church South, shows the independent action of the ministers and members of said Church in its organization, we affirm it to be impossible to point to any act of the General Conference of the Methodist Episcopal Church erecting or authorizing said Church, nor has the said General Conference, or any individual, or any number of individuals, any right, constitutional or otherwise, to extend official sanction to any act tending directly or indirectly to the dismemberment of the Church.

2. In view of the formal declaration of the brethren herein first named, that certain acts of the General Conference, especially the act in the case of Bishop Andrew, "must produce a state of things in the South which renders a continuance of the jurisdiction of that General Conference over these Conferences inconsistent with the success of the ministry in the slaveholding States;" fearing that ministers and members of the Methodist Episcopal Church would, according to the opinion expressed in the declaration above quoted, deem it necessary to erect themselves into a separate and independent Church, in the intervals of General Conference sessions, when no remedies for so great an evil could be provided in time; and desiring, as far as practicable, in accordance with suggestions made by brethren from the South, to adopt measures calculated to pacify our members and ministers in the South; the General Conference, at its session in New York, A. D. one thousand eight hundred and forty-four, did propose a plan for the adjustment of relations between the Methodist Episcopal Church and her separating members and ministers, when such separation should, by their own act and deed, if at all, occur. Such plan, based entirely upon the first named declaration of the delegates from thirteen specified and above written Conferences in the slaveholding States, having relation to those Conferences, and to no others, proposed an amicable division of territory between them and the Methodist Episcopal Church, as follows: "The northern boundary" of the prospective new Church, to be fixed at the northern extremities of those "societies, stations, and conferences," a majority of whose members should, of their own free will and accord, vote to adhere to the said Southern Church; and ministers, travelling and local, to be allowed to remain in the Methodist Episcopal Church, or attach themselves to the "Methodist Episcopal Church South," at discretion. And said plan further proposed to make over and give to the prospective "Southern Church so much of the capital and produce of the Methodist Book Concern as will, with the notes, book accounts, presses," &c., in the South, due and belonging to the Book Concern of the Methodist Episcopal Church, (the transfer of which is provided for in the fourth article of said Plan,) "bear the same proportion to the whole property of said concern that the travelling preachers in the Southern Church shall bear to all the

travelling preachers of the Methodist Episcopal Church." And said Plan further proposed, that "the book agents at New York be directed to make such compensation to the Conferences South for their dividend from the Chartered Fund as the commissioners to be provided for shall agree upon."

But the whole of this plan was expressly or otherwise conditional, as follows, namely:

(1.) That the asserted "state of things in the South, which renders a continuance of the jurisdiction of that General Conference over these conferences inconsistent with the success of the ministry in the slave-holding States," should be "produced" by the action of the General Conference in the cases referred to.

(2.) That three-fourths of the members of all the annual conferences should, "at their first approaching sessions," concur in the vote of at least two-thirds of the General Conference, so to alter "the sixth restrictive article" of the Discipline, as to add to it the following words, to wit: "And to such other purposes as may be determined upon by the votes of two-thirds of the members of the General Conference;" it being certain, that should such vote be refused by the annual conferences, the financial part of the Plan could not go into effect, which financial part was deemed by both parties essential to the Plan; and it being probable that those who were opposed to the Plan as a whole, would vote against the change in the sixth restrictive article.

(3.) It was clearly and necessarily implied, that the friendship and fidelity of the parties should be evinced by voluntarily keeping inviolate the principles and ordinances of the Plan, pending the settlement of the important conditions upon which its validity and binding force depended.

In support of the above statement of facts, we refer expressly to the aforementioned declaration of the fifty-one Southern brethren, and to the report of the committee of nine, presented to the General Conference of the Methodist Episcopal Church on the seventh day of June, 1844.

And further, it will be observed that the declaring brethren of the South did not claim that a state of things already existed, that required any separation of the South from the jurisdiction of the Methodist Episcopal Church, or that required the positive enactment of any unconditional plan of such separation. They only asserted that (in their opinion, of course) certain acts of the General Conference "must produce" this state of things. And hence they did not proceed upon the supposition that they were the official judges of the facts, which might require the separation of the southern ministers and members of the Methodist Episcopal Church from her jurisdiction. It is true that the report of the committee of nine, as it was first presented, made these delegates from the thirteen Conferences South the judges of that necessity; but it was so changed as to leave the question to the annual conferences from which they came, thus showing that the General Conference would by no means allow this question of necessity to be

decided by these men. From all of which it appears, that the Plan proposed rested, not upon the present or future existence of any state of excitement in the South, which might be produced by causes entirely apart from the General Conference; but upon the production of such a state of things as was predicted by the acts of the General Conference alone. Certainly if, upon returning to their charges, our southern brethren had found that no such "state of things" as they had supposed existed, and hence no separation had occurred, they would not assert the validity of the proposed Plan; and if it would have been of no binding force, in the absence of the predicted necessity, produced solely by the action of the General Conference, it follows inevitably that such necessity, so produced, was an indispensable condition of the Plan. And, though this necessity had actually been so produced, and the Southern ministers and members had actually separated on this ground alone, in this case one of the conditions of the Plan would have been met, we nevertheless affirm, that in failure of this condition, the Plan became invalid, though every other condition of it had been literally fulfilled.

And further, in proof that the proposed alteration of the sixth restrictive article of the Discipline was a fundamental condition of this Plan as a whole, we refer to the third resolution of the Report of the Committee of Nine, in which it is expressly asserted. Also to the published speech of Rev. Dr. (now Bishop) Paine, from which the following language was reported: "This separation would not be effected by the passage of those resolutions through the General Conference. They must pass the annual conferences, beginning at New York, and when they came round to the South, the preachers there would think, and deliberate, and feel the pulse of public sentiment, and of the members of the Church, and act in the fear of God, and with a single desire for His glory." Every word of which, in its connexion, would be entirely incompatible with the idea that he referred merely to an extension of the power of the General Conference in relation to the appropriation of funds; but it is perfectly consistent with the doctrine here asserted, that a vote on the change of that restrictive article was understood to be a vote on the merits of the Plan as a whole. So, we believe, many of the members of the annual conferences regarded it, and hence so many of them voted against it as to defeat the measure. Indeed, so essential to the Plan did our southern brethren consider this change of the sixth restrictive article, that they never have, in any way, signified their willingness to accept of the Plan without it. With this agrees perfectly the address of the above named fifty-one brethren, from their meeting in New York, held the 11th day of June, 1844, in which they hold the following language: "It affords us pleasure to state that there were those found among the majority who met this proposition (the Plan, not 'of formal and specific separation,' but to provide for the results of separation should it occur under the necessity above explained) with every manifestation of justice and liberality. And should a similar spirit be exhibited by the annual conferences in

the North, when submitted to them, as provided for in the Plan itself, there will remain no legal impediment to its peaceful consummation."

But "if a similar spirit should" not "be exhibited by the annual conferences in the North, when submitted to them, as provided for in the Plan itself;" then, of course, by the showing of these fifty-one southern brethren, "there will remain a legal impediment to its peaceful consummation" as a Plan. It is true that the question of a ratification of the Plan was not directly, and in so many words, submitted to the annual conferences; but it is evident, that in the honest opinion of these Southern brethren, it was in effect so submitted. Nor could it, by possibility, have been otherwise, from the language of the Plan, which submits an amendment of the Discipline absolutely essential to the Plan as a whole, the preachers being obliged to vote upon said amendment in view of its bearing upon the whole Plan; and the failure of said amendment rendering the Plan as a whole entirely unsatisfactory to the South; therefore, in the event of a failure of three-fourths of the members of all the annual conferences—the Southern Conferences included—"at their first approaching sessions," to vote for the change proposed in the sixth restrictive article, said Plan would be, as a whole, and hence of necessity in its details, rendered null and void.

And further, we claim that the position, that a sacred, though voluntary observance of the requirements of the proposed Plan by the Methodist Episcopal Church, and the brethren south, who should separate from her, was a fundamental condition of the Plan, is a clear and undeniable inference from the whole design and scope of said Plan. It was, as its friends openly claimed, a peace measure. It was designed to prevent aggressions from either party, and thus to prevent unchristian feelings and angry collisions between those who claim to be brethren. If, therefore, this great object, lying at the very foundation of the scheme, and in the light of which alone any part of it has the least significancy, were disregarded or trampled under foot by either party, the other, as a whole, and every individual of them, would be entirely absolved from all obligations to it whatsoever. If, therefore, this shall be found to have been done, then, though all other conditions of the Plan were certainly fulfilled, it will be, to all intents and purposes, null and void.

Finally, it has fully appeared, that to meet, in what was then supposed to be the best manner possible, the disastrous results of a violent dismemberment of the Methodist Episcopal Church, should it occur; and provide for an amicable adjustment of all relations between the two parties, this provisional Plan was adopted by the General Conference at its session, in the year 1844—that to provide for, or sanction, a division of said Church was therefore no part of the intentions of said General Conference. And that it rested upon three distinct and fundamental conditions, the failure of either of which must be fatal to its validity and binding force. And though, in the light of four years' history, we are fully convinced that the act implied a degree of faith in men not justified by the facts, and under all the circumstances of the

case it was not adapted to secure its intended results, we cannot for a moment question the Christian liberality in which it had its origin.

3. It is evident to us, that the acts of the General Conference complained of did not produce a state of things in the South which rendered a continuance of the jurisdiction of said Conference "inconsistent with the success of the ministry in the slaveholding States." Three-fourths of the members of all the Annual Conferences did not concur in the vote to alter the sixth restrictive rule, and thus sanction the Plan, for the accommodation of which said alteration was asked. And the conditions and requirements of said Plan have been violated; and hence said Plan is [and, from the first failure of the conditions of said Plan, or either of them, has been] null and void.

In support of which we offer the following facts:

After the adoption of the proposition for a peace measure, and providing for its final ratification and use, in case the predicted separation should occur, it would, as we humbly conceive, have been in perfect conformity to said peaceful arrangement for the southern delegates to have used their utmost endeavors, as some of them assured us they would do, to quiet the public mind in the South; and entering instantly upon the regular work, to have met every act of resentment, and every appearance of insubordination to the authorities of the Church, with a calm, dignified, and determined resistance—to have defended the General Conference, so far as they could conscientiously do so, and themselves to the utmost; for doing which their motions, speeches, votes, declarations, and protest, furnished ample materials. To have adopted this course would, we believe, have been doing no more than to meet the just expectations excited by their peaceful protestations upon the Conference floor, and elsewhere, both before and after the vote upon the proposed pacific plan, and their avowed attachment to the Church of their choice, in its uninterrupted integrity. But if active peace measures had been either incompatible with their private opinions of self-respect, or inconvenient under their peculiar circumstances, they, as we verily believe, might have avoided all acts preparatory to the excitement of the public mind, and leading directly or indirectly to the division of the Church; by doing which, they would have given to the world an example of moderation under circumstances confessedly difficult and trying, worthy of all commendation, and afforded an opportunity for a free, spontaneous, and in due time decisive verdict, of Southern Methodists, upon the question whether the action of the General Conference had, and "must necessarily" have "produced a state of things in the South, which rendered a continuance of the jurisdiction of that General Conference over these Conferences inconsistent with the success of the ministry in the slaveholding States." This, we claim and assert, the Methodist Episcopal Church had a right to exact of them, in order to a just estimate of the circumstances under which the conscientious and legitimate action of her highest judicatory had placed her in relation to the southern ministers and membership. But, instead of this, these fifty one brethren,

by character and position highest in rank and influence among Southern Methodists, did, at a meeting called and had before leaving the seat of the General Conference, only ten days after the principal action, and five days after the final action, in the case of Bishop Andrew, virtually appoint a convention, to be held in Louisville, Kentucky, to commence on the first of May, one thousand eight hundred and forty-five, to take into consideration the question of a division of the Church, and thus superinduce the very excitement which they should have deprecated, and attempted by every laudable means in their power to allay. Indeed, it is evident, as it should have been foreseen, that the appointment of that convention alone was, under the circumstances, decisive of the very question which should have been left to the decision of time under the action of all the conservative elements available in the case.

Moreover, from the said meeting in New York, which, if it occurred at all, should have given utterance only to counsels peaceful in their nature and tendency, and strictly loyal to the Methodist Episcopal Church, an Address was issued, "To the Ministers and Members of the Methodist Episcopal Church, in the slaveholding States and Territories," in which these fifty-one brethren say, that the "various action of the majority of the General Conference, at its recent session, on the subject of slavery and abolition, has been such as to render it necessary, in the judgment of those addressing you, to call attention to the proscription and disability under which the southern portion of the Church must of necessity labor in view of the action alluded to, unless some measures are adopted to free the minority of the South from the oppressive jurisdiction of the majority in the North in this respect. The proceedings of the majority, in several cases involving the question of slavery, have been such as indicate most conclusively that the legislative, judicial, and administrative action, of the General Conference, as now organized, will always be extremely hurtful, if not finally ruinous, to the interests of the southern portion of the Church, and must necessarily produce a state of conviction and feeling in the slaveholding States entirely inconsistent with either the peace or prosperity of the Church. The opinions and purposes of the Church in the North on the subject of slavery are in direct conflict with those of the South; and unless the South will submit to the dictation and interference of the North, greatly beyond what the existing law of the Church on slavery and abolition authorizes, there is no hope of any thing like union or harmony."

Further similar quotations might be made from this Address, but we deem it unnecessary. We submit it to a candid world, whether language less respectful to the Church of which they were members, or more inflammatory to southern minds in the midst of slavery, could well be used. Surely there is no room for surprise, that the most excited meetings soon occurred in all parts of the South, and the most indignant resolutions were passed, leading to a degree of public agitation, alarming to the peace of the Church and the nation.

But one more quotation shall be made to show that these fifty-one brethren did not hesitate, formally, to take the initiative in the work of deciding the question which they had raised, and thus actually, as they had already done virtually, give the full weight of their influence to counteract the pacific measures which they had asked at our hands, and for which they had just voted: "As the undersigned have had opportunity and advantages which those at a distance could not possess to form a correct judgment in the premises, and it may be expected of them that they express their views fully on the subject, they do not hesitate to say that they regard a separation at no distant day as inevitable." After this declaration, of what avail was it to "beseech their brethren of the ministry and membership in the slaveholding States to examine this matter carefully, and try to reach the conclusion most proper under the circumstances?" or "disposed, however, to defer to the judgment of the church, we leave this subject with you?" The result was what must have been expected. The voice of remonstrance, though sincere and beseeching, against the revolutionary measures urged on by such powerful talents and influence, was too feeble to be heard till the confusion was over and it was too late. The act of separation was consummated, as we have already seen, and many thousands hurried out of the Methodist Episcopal Church into the new organization, with scarcely an opportunity to know what it was for.

We thus see clearly that the way for separation was prepared, not by a state of things in the South "produced" by the action of the General Conference, but by revolutionary measures adopted by the southern delegates at the very seat, and nearly at the time, of our General Conference session. The success of the ministry could not have been hindered by our action; for not only was there no instance of the kind alleged, but there was a want of time to produce any such result before these fifty-one brethren, by taking the lead of the southern mind, anticipated their decision. In view of the whole of which we claim and affirm, that the southern organization was consummated in direct contravention of the plan proposed to meet the results of separation, thus reducing it to a nullity by the violation of its first great and fundamental condition. And we moreover claim and affirm, that the very acts of calling the convention and issuing the said address by which southern opinion was forestalled, was an abandonment of the plan proposed by the General Conference, and hence, that for the reason above alleged, the plan has been of no real force since the date of said call and address, to wit, the 11th day of June, 1844.

And further, it appears from official returns made from all the annual conferences voting thereon, including those now embraced in the Church South, obtained since this session commenced, that the required three-fourths majority of the members of the said annual conferences has not been given, and hence, and for this reason, as shown above, the plan is null and void.

And further, from information officially given by the Bishops of the Methodist Episcopal Church, in answer to a call upon them by the

General Conference for a statement of the facts in the premises, that in numerous instances the plan proposed, in the event of a separation, has been openly violated by the Southern Church, and hence that the peace upon the border and elsewhere, which it was designed to promote, has not been secured. The Bishops of the Methodist Episcopal Church South, have claimed a movable line, thus transferring from one place to another the scenes of strife and confusion as fast as society majorities could be obtained, which we regard and affirm to be in direct contravention of the most obvious principles of the said provisional plan. And it is in evidence before us, that in numerous instances the sense of members on the proposed border has been taken by southern preachers, privately, and in various other illegal and inconvenient ways, and hence that societies have been reported and claimed for the South, which, by suitable tests, would have given large majorities in favor of adhering to the Methodist Episcopal Church. And in numerous instances influence has been applied, and often varied and obstinately persevered in, to secure a decision in favor of the Methodist Episcopal Church South, and contrary to the wishes of many of our people. And also, in some instances, houses of worship, built at the expense, in whole or in part, of members adhering to the Methodist Episcopal Church, have been taken from them without their consent, and without compensation, and they have been discommoded by vexatious lawsuits, costs, and in various other ways, by preachers and members attached to the Church South, all of which we claim and affirm is in direct violation of the most sacred objects and conditions of the said proposed plan, showing that it has long since, in this way also, been rendered a nullity by our brethren of the South, and this, notwithstanding the Bishops of the Methodist Episcopal Church, waving all conclusions which this General Conference were entitled to draw from the numerous ascertained infractions of the proposed plan, resolved, "as far as their administration was concerned," to adhere to it strictly, which, for the sake of the magnanimous Christian example it exhibits, and in view of the right of the General Conference alone to assert the facts of the infraction and consequent destruction of the plan, we are happy to find they have scrupulously done.

Finally, having thus found, upon clear and incontestible evidence, that the three fundamental conditions of said proposed plan have severally failed, and the failure of either of them separately being sufficient to render it null and void, and having found the practical workings of said plan incompatible with certain great constitutional principles elsewhere asserted, we have found and declared the whole and every part of said provisional plan to be null and void.

4. In view of the above named principles and facts, (as well as the constitutional rights already referred to,) we regard those who have, by their own act and deed, become members of the Methodist Episcopal Church South, as having withdrawn from the Methodist Episcopal Church. And whereas those who are members of the Methodist Episcopal Church, in good and regular standing, cannot be deprived

of such membership without due form of trial, all those members who have not attached themselves to the Methodist Episcopal Church South, and have been members of the Methodist Episcopal Church, and as such they are entitled to its care and privileges, as provided for in another report of this committee.

Respectfully submitted. GEORGE PECK, *Chairman.*

Voted to take up that portion of the report of the Committe on the state of the Church read last evening. The report was adopted.

Infractions of the Plan.

The attention of the committee has been directed, by sundry memorials submitted to their consideration by the General Conference, to numerous infractions of the provisions of the so-called Plan of Separation, upon the part of the Methodist Episcopal Church South; and upon this subject present to the Conference the following statement and facts:

I. The Methodist Episcopal Church South has officially and authoritatively taught the infraction of the plan by her convention, her General Conference, her bishops, her annual conferences, her elders, and leading ministers.

1. The Louisville Convention taught the violation of the plan.

In the report on organization, passed Saturday, the 17th of May, 1845, the new church is declared to be formed out of the conferences represented in the convention. (See history of the Methodist Episcopal Church South, p. 186.) But while the convention, in their formal acts of organization on Saturday, the 17th of May, make this declaration, we find them on the Monday following passing these resolutions. (See Western Christian Advocate, vol. xiii, page 42, col. 7.)

Resolved, That should any portion of an Annual Conference, on the line of separation, not represented in this Convention, adhere to the Methodist Episcopal Church South, according to the Plan of Separation adopted at the late General Conference, and elect delegates to the General Conference of the Church in 1846, upon the basis of representation adopted by the convention, they shall be accredited as members of the General Conference.

Resolved, That, in the judgment of this convention, those societies and stations on the border, within the limits of conferences represented in this convention, be constructively understood as adhering to the South, unless they see proper to take action on the subject; and in all such cases we consider the pastor of the station or society the proper person to preside in the meeting.

Thus, although the convention, in their formal organization, confine themselves to the original limits, yet two days after, when the way was prepared for further inroads, they enlarge the provisions of the Plan, and extend it into the boundaries of the Philadelphia, Baltimore, and other conferences. And in all societies within the border where no votes would be taken, these societies must be constructively understood

General Conference for a statement of the facts in the premises, that in numerous instances the plan proposed, in the event of a separation, has been openly violated by the Southern Church, and hence that the peace upon the border and elsewhere, which it was designed to promote, has not been secured. The Bishops of the Methodist Episcopal Church South, have claimed a movable line, thus transferring from one place to another the scenes of strife and confusion as fast as society majorities could be obtained, which we regard and affirm to be in direct contravention of the most obvious principles of the said provisional plan. And it is in evidence before us, that in numerous instances the sense of members on the proposed border has been taken by southern preachers, privately, and in various other illegal and inconvenient ways, and hence that societies have been reported and claimed for the South, which, by suitable tests, would have given large majorities in favor of adhering to the Methodist Episcopal Church. And in numerous instances influence has been applied, and often varied and obstinately persevered in, to secure a decision in favor of the Methodist Episcopal Church South, and contrary to the wishes of many of our people. And also, in some instances, houses of worship, built at the expense, in whole or in part, of members adhering to the Methodist Episcopal Church, have been taken from them without their consent, and without compensation, and they have been discommoded by vexatious lawsuits, costs, and in various other ways, by preachers and members attached to the Church South, all of which we claim and affirm is in direct violation of the most sacred objects and conditions of the said proposed plan, showing that it has long since, in this way also, been rendered a nullity by our brethren of the South, and this, notwithstanding the Bishops of the Methodist Episcopal Church, waving all conclusions which this General Conference were entitled to draw from the numerous ascertained infractions of the proposed plan, resolved, "as far as their administration was concerned," to adhere to it strictly, which, for the sake of the magnanimous Christian example it exhibits, and in view of the right of the General Conference alone to assert the facts of the infraction and consequent destruction of the plan, we are happy to find they have scrupulously done.

Finally, having thus found, upon clear and incontestible evidence, that the three fundamental conditions of said proposed plan have severally failed, and the failure of either of them separately being sufficient to render it null and void, and having found the practical workings of said plan incompatible with certain great constitutional principles elsewhere asserted, we have found and declared the whole and every part of said provisional plan to be null and void.

4. In view of the above named principles and facts, (as well as the constitutional rights already referred to,) we regard those who have, by their own act and deed, become members of the Methodist Episcopal Church South, as having withdrawn from the Methodist Episcopal Church. And whereas those who are members of the Methodist Episcopal Church, in good and regular standing, cannot be deprived

of such membership without due form of trial, all those members who have not attached themselves to the Methodist Episcopal Church South, and have been members of the Methodist Episcopal Church, and as such they are entitled to its care and privileges, as provided for in another report of this committee.

Respectfully submitted. GEORGE PECK, *Chairman.*

Voted to take up that portion of the report of the Committe on the state of the Church read last evening. The report was adopted.

Infractions of the Plan.

The attention of the committee has been directed, by sundry memorials submitted to their consideration by the General Conference, to numerous infractions of the provisions of the so-called Plan of Separation, upon the part of the Methodist Episcopal Church South; and upon this subject present to the Conference the following statement and facts:

I. The Methodist Episcopal Church South has officially and authoritatively taught the infraction of the plan by her convention, her General Conference, her bishops, her annual conferences, her elders, and leading ministers.

1. The Louisville Convention taught the violation of the plan.

In the report on organization, passed Saturday, the 17th of May, 1845, the new church is declared to be formed out of the conferences represented in the convention. (See history of the Methodist Episcopal Church South, p. 186.) But while the convention, in their formal acts of organization on Saturday, the 17th of May, make this declaration, we find them on the Monday following passing these resolutions. (See Western Christian Advocate, vol. xiii, page 42, col. 7.)

Resolved, That should any portion of an Annual Conference, on the line of separation, not represented in this Convention, adhere to the Methodist Episcopal Church South, according to the Plan of Separation adopted at the late General Conference, and elect delegates to the General Conference of the Church in 1846, upon the basis of representation adopted by the convention, they shall be accredited as members of the General Conference.

Resolved, That, in the judgment of this convention, those societies and stations on the border, within the limits of conferences represented in this convention, be constructively understood as adhering to the South, unless they see proper to take action on the subject; and in all such cases we consider the pastor of the station or society the proper person to preside in the meeting.

Thus, although the convention, in their formal organization, confine themselves to the original limits, yet two days after, when the way was prepared for further inroads, they enlarge the provisions of the Plan, and extend it into the boundaries of the Philadelphia, Baltimore, and other conferences. And in all societies within the border where no votes would be taken, these societies must be constructively understood

as adhering to the South. Hence their preachers have generally prevented any voting wherever they could by any means hinder it, although the Plan of the General Conference required the societies to vote. The conclusion is, that the convention taught the infraction of the Plan in two very important respects.

First. They exceed the provisions of the Plan by extending it into the territory of the Baltimore, Philadelphia, Pittsburgh, and other conferences. Thus they teach to cross the line.

Secondly. And in all societies where no vote would be taken, they claim them constructively as belonging to their church.

2. The Bishops of the Methodist Episcopal Church South have taught the infraction of the Plan.

Bishop Soule, in his letter dated Lebanon, Ohio, August 4th, 1845, and published in the Western Christian Advocate, of August 22d, 1845, vol. XIII, p. 75, col. 2, teaches the breach of the Plan. It is addressed "to the preachers and border societies of the Kentucky and Missouri Conferences, and of other conferences bordering upon them." The Bishop here calls on the societies on the southern verge of the Ohio, Indiana, Illinois, and Iowa Conferences, to vote whether they will or will not remain in the Methodist Episcopal Church. Bishop Soule, however, makes these regulations in reference to his own administration. But this same course was sanctioned by Bishop Andrew immediately, and afterwards by their General Conference, and by all their bishops. And, indeed, Bishop Soule, in his letter to the Rev. Wesley G. Montgomery, dated Nashville, April 30th, 1847, and published in the Western Christian Advocate of May 21st, 1847, hints broadly enough that minorities had best be accommodated. He says: "Minorities on either side of the line of division are entitled to a kind and respectful consideration, and should be treated accordingly. And I should think it far better for such minorities, being on the borders, to receive preachers from the Church to which they desire to adhere, provided they believe themselves able to support them, than for majorities to be interdicted the exercise of a right plainly secured to them by the provisions of the law or rule in the case." Now with this instruction about minorities, as well as the maintenance that the line is a sliding one, and no limits of time are given in which its sliding operation ceases, Southern preachers will find little difficulty in passing over any limits which may be in the way.

But Bishop Capers's letter to Rev. Mr. Moorman, and published in the Christian Advocate and Journal of April 21st, 1847, claims all the territory in the slaveholding States, and this, too, according to the Plan, or, as he calls it, the "Deed of Separation." Now, as Bishop Capers claims all slaveholding territory, and Bishop Soule as much of the territories of the free States as the accommodation of minorities and the sliding line will transfer, it would be difficult indeed to fix any line at all.

It were useless to insist, in a matter so clear, that the Bishops of the Methodist Episcopal Church South have taught officially the violation of the Plan.

3. The General Conference of the Methodist Episcopal Church South has taught the infraction of the Plan.

For proof of this we need go no further than the famous report on the Episcopacy, in which the conference sanctions the breaches of the Plan as taught by the convention, and as was taught and practised by Bishops Soule and Andrew, from the session of the convention in May, 1845, to the session of the conference in May, 1846. This document will be found in the Western Christian Advocate of June 26th, 1846, and in the Richmond Advocate of May 21st, 1846. The report fully clears Bishops Soule and Andrew of any blame for occupying Cincinnati, the Kenhawa district, &c., and gives such full latitude of interpretation, that the limitations of the Plan became a perfect nullity. Our limits will not allow us to quote the report, but it can be perused in the papers, as cited above, as well as in all the Southern papers.

4. The Annual Conferences, editors, and leading members of the new Church, maintain the infraction of the Plan in perfect accordance with the acts of their convention, their General Conference, and their Bishops.

It were useless to make quotations on this point. Their press teems with approving acts of Annual Conferences, and the labored essays and constant admissions of editors and correspondents, upholding fully their Conventional, Episcopal, and General Conference decisions and acts. And from all this there is no dissent in any quarter.

II. The Bishops of the Methodist Episcopal Church South, in their official administration, have actually broken the Plan.

As undoubted and official testimony on this point, we need only quote the report on this subject, by our excellent and devoted Bishops; which, at the request of the General Conference, they furnished the committee. This official document is as follows:

To the Committee on the state of the Church.

In compliance with a request of the General Conference, made on the 6th instant, the superintendents present to you such information as they possess in regard to alleged infractions of the "Plan of Separation," on the part of the constituted authorities of the Methodist Episcopal Church South, by which the Methodist Episcopal Church has been injuriously deprived of portions of its territory and members. They must be understood as giving the most authentic statements which have come to their ears, without vouching their own personal knowledge for the correctness of every item thus presented. They are, nevertheless impressed with a conviction of the truth of the statements generally, as hereinafter made.

They commence first with Baltimore Conference. Within its bounds there is a portion of the State of Virginia, situated between the Potomac and Rappahannock rivers, commonly called the "Northern Neck," embracing the counties of King George, Westmoreland, Richmond, Northumberland, and Lancaster. These counties contained the following circuits, (having a membership of eight hundred to a thousand,)

namely, King George, Westmoreland, and Lancaster, each having preachers annually appointed to it from the Baltimore Conference. At different times, each of those circuits determined to attach themselves to the Methodist Episcopal Church, not as border societies, but as circuits. To all of them preachers have been sent from the Virginia Conference, who are there at present, to the exclusion of the ministers of the Methodist Episcopal Church. From the conference of 1847, preachers were sent to this portion of the Baltimore Conference, who found on their arrival the circuits under the pastoral care of ministers of the Virginia Conference. The ministers sent from the Baltimore Conference, not being able to have access to the preaching places or societies, were withdrawn after suitable time, and sent to places where they were needed, except one, who was left in the charge of the whole field of labor. At present, this place appears on the Minutes "to be supplied." No minister of the Methodist Epispocopal Church is now in this ancient portion of the Baltimore Conference.

Warrenton circuit has been occupied between one and two years with preachers from the Virginia Conference; but as the circuit did not go to the Church South in whole, a part thereof continuing in the Methodist Episcopal Church, a preacher from the Baltimore Conference has been continued there. Some of the societies which voted to go to the Church South were strictly border societies, but others also went which were as strictly interior societies. One of the churches, (Wesley Chapel,) where a majority adhered to the Methodist Episcopal Church, was forcibly entered, and new locks were attached to its doors; and the Church South has it in possession at the present time, unless the civil court has recently decided a suit, which was instituted for the property, in favor of the Methodist Episcopal Church.

Harrisonburg, in Rockingham county, Virginia, unquestionably an interior society, having by a majority of votes determined to connect themselves with the Methodist Episcopal Church South, a preacher from the Virginia Conference has been appointed to labor there. A minority, adhering to the Methodist Episcopal Church, are under the pastoral care of one of its ministers. The church was in a course of litigation a few months since, and probably the case has not been decided by the court. An attempt was made to get possession of the parsonage in Harrisonburg for the Church South, but with what success there is no information.

Leesburg, a station belonging to the Baltimore Conference, clearly an interior society, has been visited by a preacher from the Methodist Episcopal Church South, much agitation produced in the society and in the community, and a suit at law commenced for the church edifice. Whether the effort is still persisted in to occupy this place is not certainly known. That which makes this case even a glaring one is the fact that the majority of the society voted to adhere to the Methodist Episcopal Church. There are other instances of the violation of the plan of separation, in the opinion of some equally apparent with the instances given in this paper, of which more certain information may

be obtained from Rev. Messrs. William Hamilton, N. J.; B. Morgan, S. A. Roszel, John Bear, and J. A Collins, members of this General Conference.

Kanawha district, in the northwest part of Virginia is a part of Ohio Conference. In 1845 that work was supplied from the Ohio Conference as usual. The preachers were received, with one exception, as far as we know, namely, Parkersburg station. A part of the members there refused to receive any preacher from Ohio Conference. They rejected the preacher sent to them, not for any objection to him personally, but because he came from Ohio; and by threats of violence, and preparation to execute those threats on a given day, compelled him to leave the place, and took possession of the chapel. He, however, returned after some weeks, and in connexion with the preacher of the adjoining circuit, to which they were transferred, served the remaining members of the scattered flock in another house. These outcast members have since erected a chapel for themselves, in which they worship undisturbed; while the old chapel is supplied from Kentucky Conference, of the Methodist Episcopal Church South. Parkersburg is not a border station. It is the county seat of Wood county, situated at the junction of Little Kanawha and Ohio rivers, and is about seventy-five miles from the nearest point of the Kentucky State line; so that the Kentucky preachers had to travel that distance through our work to reach it, though they now occupy other places through our work between that and Kentucky. No preachers were appointed from the Kentucky Conference of 1845 to the Kanawha district; but some were sent there, as we learn, during that conference year, by a presiding elder that made breaches in some of our circuits. In 1846 the Kanawha district was all supplied from the Ohio Conference as usual, though the societies in some places were divided by Southern influence. A few weeks afterward a second supply was sent from Kentucky Conference, as we learned from the newspapers. Since that time there have been two presiding elders, and two sets of preachers there; one from Ohio Conference, and the other from Kentucky Conference. Indeed it is alleged that at the last session of the Kentucky Conference they divided the district; so that the old Kanawha district is now occupied by three presiding elders—one from Ohio, and two from Kentucky.

These are the most material facts which have been reported to us, bearing on the point of inquiry submitted to us, so far as Kanawha district is concerned.

"Soule Chapel," Cincinnati. In 1834, Cincinnati, which had previously been one charge, was divided into two, "Wesley Chapel" and "Fourth street." Each had definite bounds, within which the stationed minister had exclusive pastoral functions. Private members were advised to observe these limits in fixing and holding their membership, but were not considered bound to do so, and did not in all cases practise it. But class meeting, &c., were held in strict regard to this provision.

New preaching places have been opened in these charges, under the direction and countenance of the presiding elder and preachers in charge, have matured societies, and have been finally formed into stations by the presiding bishops and received preachers.

In 1844 the first city missionary was appointed, and was supported by a city missionary society, whose object was to carry the gospel to the destitute. The first year, with the approbation of those having authority to direct him, he formed three societies, namely, the Bethel, Ebenezer, and Maley Chapel, and succeeded in erecting two small chapels for "Ebenezer" and "Maley" in the northwest part of the city and suburbs. By permission he exercised pastoral authority in some or all of these societies.

In 1845 the same brother, Rev. G. W. Maley, was reappointed to the same mission. At the same time two of the aforesaid societies, Bethel and Ebenezer, were made stations, and Rev. J. W. White and Rev. Joseph Bruner were appointed to serve them. These two stations were marked out by metes and bounds, as had been invariably done when new stations were formed in Cincinnati. This was done in council with the presiding elder of Cincinnati district, two or three days after conference closed, it having been forgotten in the pressure of conference business. Letters were written by the presiding bishop to brothers White and Bruner, defining by streets, &c., the bounds of the new charges; and the city missionary had Maley Chapel and the region around it set apart from all the stations as his special field of labor, within which, and nowhere else, he was to exercise pastoral functions. As the superintendent, however, was in haste, he did not write to the missionary, but requested the presiding elder, Brother Morley, to give him the information.

Three objects were sought in this arrangement—

First. As the city mission had lost two principal appointments, it seemed proper to encourage the missionary by assigning him the pastoral charge of this precinct territory, which was fast filling up, and which must, of course, receive most of his labors.

Second. Ebenezer station bordered on Maley Chapel, and the population and territory were enough to be under the pastoral care of one man, after Maley Chapel and its territory were taken off.

Third. It seemed to the presiding bishop proper that each city preacher should have exclusive pastoral authority within his own charge; and, though no rupture was then dreamed of, it was thought the exercise of pastoral functions by the missionary within the different charges would derange and disorder the work.

Within three or four weeks after these arrangements were made, the city missionary obtained leave from the City Missionary Board to preach in "Vine street Church," an old deserted building within the bounds of Morris Chapel charge, from one-half to three-fourths of a mile from Maley Chapel charge, and in the heart of the city. If we understand correctly, both the presiding elder and the board deny that the missionary received any authority to form a society there, or do

2912.

any other act which belonged to the pastoral oversight. He received no such authority from the Bishop.

A number of brethren, however, obtained certificates, and presented them to the city missionary, not in his own charge, but at "Vine-street," and in the very heart of the city he proceeded to take possession of his brother's territory, and form a society. Having increased it to a company of several scores, it voted to go south, was created "a charge" by the authority of Bishop Andrew, and Revs. E. W. Sehon, G. W. Maley, (the missionary,) and S. A. Latta, were appointed to serve it as ministers of the M. E. Church South. Bishop Andrew named it "Vine-Street Charge, a border society," &c. In a short time this society purchased a church, in the heart of "Wesley Chapel charge," so that between it and the border, or the Ohio river, interposes one whole charge, the Bethel, which makes Soule Chapel as truly an interior station as though it were in Columbus or Cleaveland.

"Andrew Chapel, Cincinnati."—"Andrew Chapel" was purchased a few months since by the "Soule Chapel" society, and stands within the bounds of Ninth-street charge, having, like "Soule Chapel," one whole charge—"Morris Chapel"—between it and the border, or river. It is understood to have regular preaching, but whether placed on the minutes of the Methodist Episcopal Church South, as a distinct charge, we know not, but understand that pastoral authority is exercised there in the formation of classes, receiving members, and exercising discipline.

Statement of encroachment on the territory of the Philadelphia Conference by the Methodist Episcopal Church South.

Accomac and Northampton counties, Va., are separated from the Virginia Conference by a broad bay, (the Chesapeake,) in every place from fifteen to thirty miles wide. The first place that voted to unite with the Church South was Capeville, in Northampton, about seven miles north of Cape Charles. The next place at which the vote was taken was Salem, eight miles north of Capeville, which, by a strong majority, had previously determined to stay with us. The next place was Johnson's Chapel, about ten miles north of Salem, which, by a small majority, preferred the Church South. The next place reported to have chosen the Church South was Bethel, in Occahannock Neck. Here no vote was taken, but some friends of the Church South went around to the houses of the members, and reported that they had obtained a majority for the new organization. These were all that had declared for the South before Mr. Moorman was sent over. Some time after his arrival Franktown, five or six miles north of Johnson's, gave a majority of one vote for the South, by getting together members who had not attended class for years. Pungotraque, in Accomac county, about ten miles further north, after giving a majority to remain in the old Church several times, at length chose the new Church

by a small majority. And, finally, Craddockville, a few miles southeast of Pungotraque, in a neck, gave a majority for the Church South. There is no appointment between any of the above and the Chesapeake Bay.

Signed,

E. HEDDING,
B. WAUGH,
THOMAS A. MORRIS,
L. L. HAMLINE,
EDMUND S. JANES.

Although the Plan could have no reference to the Philadelphia, Baltimore, or Ohio Conference, nevertheless, allowing that these conferences could be the theatre of the operations of the Plan on their southern verge, the framers of the Plan, in reference to majorities of societies or stations, as well as to internal societies, have been overlooked by the Southern Bishops. At first, by the concession of all, the Plan was confined to the thirteen conferences in the slaveholding States. Next it was extended by the South to the other conferences; and even in these the border regulations were disregarded, and Southern encroachment stopped at nothing. While our Bishops, individually, in laudable submission to the Episcopal board, have, on their part, most scrupulously observed the regulations of the Plan, the Bishops of the new Church have trampled under foot the provisions of the Plan, while, at the same time, they have professed to be governed by it; and although the authorities of the Methodist Episcopal Church did their utmost to preserve the line unbroken, it was unavailing; the authorities of the Methodist Episcopal Church South, by precept and example, have broken over the barriers, and the line, by their doing, has no longer any being. They themselves have destroyed the Plan, and have placed it now beyond the reach of the Methodist Episcopal Church to restore the boundaries. Nor is there now any hope that measures could be taken to restore the line, or continue it did it exist. The General Conference of the Methodist Episcopal Church South, by the following resolution, in their report on the administration of their Bishops, have decided this point. They say—

"Resolved, That after a full and patient examination of the particulars of the administration of the Southern Bishops in relation to the Plan of Separation, the General Conference of the Methodist Episcopal Church South consider the charges so repeatedly made by the editors and correspondents of the Western Christian Advocate, and the Christian Advocate and Journal, against Bishops Soule and Andrew, as entirely groundless; and that, on the contrary, the administration aforesaid has been strictly conformed to the rule set forth by authority of the General Conference of the Methodist Episcopal Church in its legislation on this subject in 1844."

Thus the administration of the Southern Bishops has been sustained by their General Conference. They have, therefore, in advance of the Methodist Episcopal Church, overthrown the Plan, and

have left none of it remaining for us to overthrow; and now, in pronouncing it null and void, the South have compelled to this action.

Respectfully submitted,

GEORGE PECK, *Chairman.*

1. *History of proceedings of the Delegates from slaveholding States, at their meeting in the city of New York, on the day after the adjournment of the General Conference of* 1844.

At that meeting they adopted the following plan of action as proper to be recommended to the Conferences represented by them—

With a view to promote uniformity of action in the premises, we beg leave to submit to your consideration the expediency of concurring in the following plan of procuring the judgment of the Church within the slaveholding States, as to the propriety of organizing a southern division of the Methodist Episcopal Church in the United States, and of effecting such an organization should it be deemed necessary:

1. There shall be a Convention held in Louisville, Kentucky, to commence the 1st of May, 1845—composed of delegates from the several annual conferences within the slaveholding States, appointed in the ratio of one for every eleven members.

2. These delegates shall be appointed at the ensuing session of the several annual conferences enumerated, each conference providing for the expenses of its own delegates.

3. These several annual conferences shall instruct their delegates to the proposed convention on the points on which action is contemplated—conforming their instructions, as far as possible, to the opinions and wishes of the membership within their several conference bounds.

They also send abroad the following address—

Address to the Ministers and Members of the Methodist Episcopal Church in the slaveholding States and Territories.

The undersigned, delegates in the late General Conference of the Methodist Episcopal Church, from thirteen annual conferences in slaveholding States and territories, would most respectfully represent—that the various action of the majority of the General Conference, at its recent session, on the subject of slavery and abolition, has been such as to render it necessary, in the judgment of those addressing you, to call attention to the proscription and disability under which the southern portion of the Church must of necessity labor in view of the action alluded to, unless some measures are adopted to free the minority of the South from the oppressive jurisdiction of the majority in the North, in this respect.

The proceedings of the majority, in several cases involving the question of slavery, have been such as indicate most conclusively that the legislative, judicial, and administrative action of the General Con-

ference, as now organized, will always be extremely hurtful, if not finally ruinous, to the interests of the southern portion of the Church; and must necessarily produce a state of conviction and feeling in the slaveholding States, entirely inconsistent with either the peace or prosperity of the Church.

The opinions and purposes of the Church in the North on the subject of slavery are in direct conflict with those of the South, and unless the South will submit to the dictation and interference of the North, greatly beyond what the existing law of the church on slavery and abolition authorizes, there is no hope of anything like union or harmony. The debate and action of the General Conference in the case of the Rev. Mr. Harding, of the Baltimore Conference; the debate and action in the case of Bishop Andrew; and the opinions and purposes avowed and indicated in a manifesto of the majority in reply to a protest from the minority against the proceedings complained of, together with hundreds of petitions from the East, North, and West, demanding that slavery, in all its possible forms, be separated from the church; these, and similar demonstrations, have convinced the undersigned that they cannot remain silent or inactive without hazard and injustice to the different portions of the church they represent.

They have, therefore, thought proper to invoke the attention of the church in the South to a state of things they are compelled to regard as worthy the immediate notice and action of the church throughout all the slaveholding States and Territories. The subject of slavery and abolition, notwithstanding the plain law of the Discipline on the subject, was agitated and debated in the late General Conference for five successive weeks; and even at the very close of the session the aspect of things was less satisfactory, and more threatening to the South, than at any former period; and, under such circumstances of mutual distrust and disagreement, the General Conference adjourned.

Some time before the adjournment, however, upon a declaration made by the southern delegations, setting forth the impossibility of enduring such a state of things much longer, the General Conference, by a very large and decided majority, agreed to a plan of formal and pacific separation, by which the Southern Conferences are to have a distinct and independent organization of their own, in no way subject to northern jurisdiction. It affords us pleasure to state that there were those found among the majority who met this proposition with every manifestation of justice and liberality. And should a similar spirit be exhibited by the Annual Conferences in the North when submitted to them, as provided for in the plan itself, there will remain no legal impediment to its peaceful consummation.

This plan is approved by the undersigned as the best, and, indeed, all that can be done at present, in remedy of the great evil under which we labor. Provision is made for a peaceable and constitutional division of church property of every kind. The plan does not decide that division shall take place, but simply, and it is thought securely, provides that it may if it be found necessary. Of this necessity you are

to be the judges, after a careful survey and comparison of all the reasons for and against it.

As the undersigned have had opportunity and advantages which those at a distance could not possess, to form a correct judgment in the premises, and it may be expected of them that they express their views fully on the subject, they do not hesitate to say, that they regard a separation at no distant day as inevitable; and further, that the plan of separation agreed upon is as eligible as the Southern Conferences have any right to expect at any time. We most respectfully, therefore, and with no common solicitude, beseech our brethren of the ministry and membership in the slaveholding States, to examine this matter carefully, and weighing it well in all its bearings, try to reach the conclusion most proper under the circumstances. Shall that which, in all moral likelihood must take place soon, be attempted now, or are there reasons why it should be postponed?

We deprecate all excitement; we ask you to be calm and collected, and to approach and dispose of the subject with all the candor and forbearance the occasion demands. The separation proposed is not scism, it is not secession. It is a State or family separating into two different States or families by mutual consent. As the "Methodist Episcopal Church" will be found north of the dividing line, so the "Methodist Episcopal Church" will be found south of the same line.

The undersigned have clung to the cherished unity of the church with a firmness of purpose and force of feeling which nothing but invincible necessity could subdue. If, however, nominal unity must co-exist with unceasing strife and alienated feeling, what is likely to be gained by its perpetuation? Every minister and member of the church in slaveholding States must perceive at once, that the constant, not to say interminable, agitation of the slavery and abolition question in the councils of the church, and elsewhere, must terminate in incalculable injury to all the Southern Conferences. Our access to slave and master is to a great extent cut off. The legislation of the church in conflict with that of the State—church policy attempting to control public opinion and social order—must generate an amount of hostility to the church impossible to be overcome, and slowly, but certainly, diminish both the means and the hope of usefulness and extension on the part of the church.

Disposed, however, to defer to the judgment of the church, we leave this subject with you. Our first and most direct object has been to bring it fully before you, and, giving you an opportunity to judge and determine for yourselves, await your decision. The minority from the South in the late General Conference were most anxious to adjourn the decision in the case of Bishop Andrew, with all its attendant results, to the Annual Conferences and to the church at large, to consider and decide upon during the next four years, as no charge was presented against the Bishop, and especially as this measure was urgently recommended by the whole bench of Bishops, although Bishop Hedding subsequently withdrew his name. The proposition, however, to refer

the whole subject to the church was promptly rejected by the majority, and immediate action demanded and had. But as all the facts connected with the equivocal suspension of Bishop Andrew will come before you in other forms, it is unnecessary to detail them in this brief address, the main object of which is to place before you in a summary way the principal facts and reasons connected with the proposed separation of the Southern Conferences into a distinct organization.

Adopted at a meeting of the southern delegations held in New York at the close of the General Conference, June 11th, 1844, and ordered to be published.

Signed on behalf of the Kentucky, Missouri, Holston, Tennessee, North Carolina, Memphis, Arkansas, Virginia, Mississippi, Texas, Alabama, Georgia, and South Carolina Annual Conferences.

Kentucky—H. B. Bascom, William Gunn, H. H. Kavanaugh, E. Stevenson, B. T. Crouch, G. W. Brush. Missouri—W. W. Redman, W. Patton, J. C. Berryman, J. M. Jameson. Holston—E. F. Sevier, S. Patton, T. Springfield. Tennesee—R. Paine, J. B. M'Ferrin, A. L. P. Green, T. Maddin. North Carolina—B. T. Blake, J. Jamieson, P. Doub. Memphis—G. W. D. Harris, S. S. Moody, W. M'Mahan, Thomas Joyner. Arkansas—J. C. Parker, W. P. Radcliff, A. Hunter. Virginia—J. Early, T. Crowder, W. A. Smith, L. M. Lee. Mississippi—W. Winans, B. M. Drake, J. Lane, G. M. Rogers. Texas—L. Fowler. Alabama—J. Boring, J. Hamilton, W. Murrah, G. Garret. Georgia—G. F. Pierce, W. J. Parks, L. Pierce, J. W. Glenn, J. E. Evans, A. B. Longstreet. South Carolina—W. Capers, W. M. Wightman, C. Betts, S. Dunwody, H. A. C. Walker.

2. *Mr. Drake's resolution proposed, but not acted on, in General Conference of* 1844.

Whereas there have been found difficulties of a serious nature in the Bishops of the Methodist Episcopal Church exercising a general superintendency; therefore—

Resolved, That the General Conference recommended the Episcopacy to assign to each superintendent his sphere of labor for the next four years.

This proposition, not being in order, was offered as a suggestion, and no action was had on it.

3. *Mr. Durbin's resolve not passed in that Conference.*

Resolved, That the case of Bishop Andrew be referred to the Church, and that the judgment of the next General Conference be deemed and taken to be the voice of the Church, whether Bishop Andrew shall continue to exercise his functions as a general superintendent in the Methodist Episcopal Church while he sustains the relation to the slavery as stated in his communication to Conference, as reported to the Conference by the Committee on Episcopacy.

4. *The action of the several Southern Conferences on* pp. 109, 110, 111, 124, 127, 129, 132, 135, 137, 139, 142, 143, 147, 148, 153, 154, 155, *of the history of Church South.*

The Kentucky Conference was the first in the southern division of the Church to meet after the adjournment of the General Conference. It convened on the 11th of September, 1844, and adopted the following resolutions, with but one dissenting vote:

Report of the committee on division.

The committee, to whom was referred the subject of the division of the Church into two separate General Conference jurisdictions, and kindred subjects, have had the same under serious consideration, and beg leave to report:

That enlightened as the Conference is presumed to be on the merits of the very important subject upon which your committee have been called to act, it was not deemed expedient to delay this report by an elaborate and argumentative investigation of the matters committed to them, in their various relations, principles, and bearings; they, therefore, present the result of their deliberations to the Conference by offering for adoption the following resolutions:

1. Resolved, That it is the deliberate judgment of this Conference that the action of the late General Conference, virtually deposing Bishop Andrew, and also their action in confirming the decision of the Baltimore Conference, in the case of the Rev. F. A. Harding, are not sustained by the Discipline of our church, and that we consider those proceedings as constituting a highly dangerous precedent.

2. Resolved, That we deeply regret the prospect of division growing out of these proceedings, and that we do most sincerely hope and pray that some effectual means, not inconsistent with the interests and honor of all concerned, may be suggested and devised, by which so great a calamity may be averted, and to this end we recommend that our societies be freely consulted on the subject.

3. Resolved, That we approve the holding of a convention of delegates from the conferences in the slaveholding States, in the city of Louisville, on the first day of May next, agreeably to the recommendation of the southern and southwestern delegates in the late General Conference; and that the ratio of representation proposed by said delegates, to wit, one delegate for every eleven members of conference, be and the same is hereby adopted; and that this conference will elect delegates to the proposed convention upon said basis.

4. Resolved, That should a division be found to be indispensable, the delegates of this conference are hereby required to act under the following instructions, to wit, that the southern and southwestern Conferences shall not be regarded as a secession from the Methodist Episcopal Church, but that they shall be recognised in law, and to all intents and purposes, as a co-ordinate branch of the Methodist Episco-

pal Church in the United States of America, simply acting under a separate jurisdiction. And further, that being well satisfied with the Discipline of the Church as it is, this conference instructs its delegates not to support or favor any change in said Discipline by said convention.

5. Resolved, That unless we can be assured that the rights of our ministry and membership can be effectually secured according to discipline, against future aggressions, and reparation be made for past injury, we shall deem the contemplated division unavoidable.

6. Resolved, That we approve the course of our delegates in the late General Conference in the premises, and that we tender them our thanks for their faithful and independent discharge of duty in a trying crisis.

7. Resolved, That the secretary of this conference be directed to have these resolutions published in such of our church papers as may be willing to insert them.

All of which is respectfully submitted.

M. M. HENKLE, *Chairman.*

Further action in reference to the contemplated Convention.

Resolved, by the Kentucky Annual Conference, That should the proposed convention, representing the annual conferences of the Methodist Episcopal Church, in the slaveholding States, appointed to assemble in the city of Louisville, the first of May, 1845, proceed to a separate organization, as contingently provided for in the resolutions of this body on yesterday, then and in that event, the convention shall be regarded as the regular General Conference, authorized and appointed by the several annual conferences of the southern division of the church, and as possessing all the rights, powers, and privileges of the General Conference of the Methodist Episcopal Church in the United States, and subject to the same restrictions, limitations, and restraints.

Resolved, That in order to secure the constitutional character and action of the convention as a General Conference proper, should a separate organization take place, the ratio of representation as now found in the 2d restrictive rule, one for every twenty-one, shall prevail and determine the number of constitutional delegates, taking and accrediting as such the proper number from each annual conference first elected in order; and that the supernumerary delegates be regarded as members of the convention to deliberate, etc., but not members of the General Conference proper, should the convention proceed to a separate organization in the South: Provided, nevertheless, that should any delegate or delegates, who would not be excluded from the General Conference proper, by the operation of the above regulation, be absent, then any delegate or delegates present, not admitted by said regulation as member or members of the constitutional General Conference, may lawfully take the seat or seats of such absent delegates, upon the principle of the selection named above.

Resolved, by the Kentucky Annual Conference, That we respectfully invite the Bishops of the Methodist Episcopal Church, who may feel themselves disposed to do so, to be in attendance at the contemplated convention, to be held in the city of Louisville, Ky., in May, 1845.

Resolved, by the Kentucky Annual Conference, That we appoint the Friday immediately preceding the day fixed for the meeting of the proposed General Convention of the delegates of the Conferences, as a day of fasting and prayer for the blessing of Almighty God on the said convention.

The Missouri Conference adopted the following report and resolutions from the committee on division—

Report of the Committee on Division.

The committee, to whom was referred the subject of a division of the church into two separate General Conference jurisdictions, together with the causes and circumstances connected with the same, have bestowed upon it, in the most prayerful and religious manner, all the time and attention they could command for the purpose, and beg leave to present the following as their report:

That inasmuch as the conference is presumed to be well informed on the merits of the very important subject upon which the committee has been called to act, it was not deemed necessary to delay this report by an extended and argumentative investigation of the matters committed to them, in their various relations, principles, and bearings; they would, therefore, present the result of their deliberations to the conference by offering for adoption the following resolutions:

Resolved, That we have looked for many years, with painful apprehension and disapproval, upon the agitation of the slavery and abolition subject in our General Conference, and now behold with sorrow and regret, the disastrous results which it has brought about.

Resolved, That while we accord to the great majority of our northern brethren the utmost purity of intention, and while we would carefully refrain from all harsh denunciations, we are compelled to pronounce the proceedings of the late General Conference against Bishop Andrew extra-judicial and oppressive.

Resolved, That we deeply regret the prospect of separation growing out of these proceedings, and that we do most sincerely hope and pray that some effectual means, not inconsistent with the interests and honor of all concerned, may be suggested and devised, by which so great a calamity may be averted; and to this end we recommend that our societies be freely consulted on this subject.

Resolved, That we approve the holding of a convention of delegates from the conferences in the slaveholding States, in the city of Louisville, Kentucky, on the first day of May next, agreeably to the recommendation of the delegates from the Southern and Southwestern Conferences, in the late General Conference; and that the ratio of representation pro-

posed by said delegates, to wit, one delegate to every eleven members of the conference, be and the same is hereby adopted; and that this conference will elect delegates to the proposed convention upon said basis.

Resolved, That our delegates act under the following instructions, to wit: To oppose the division of the Church, unless such division, under all the circumstances of the case, be found to be indispensable, (and consequently unavoidable;) and should such necessity be found to exist, and the division be determined on, then and in that event, that the Southern and Southwestern Conferences shall not be regarded as a secession from the Methodist Episcopal Church, but that they shall be recognised in law, and to all intents and purposes, as a co-ordinate branch of the Methodist Episcopal Church in the United States of America, simply acting under a separate jurisdiction. And further, that being well satisfied with the discipline of the church as it is, this conference instruct its delegates not to support or favor any change in said discipline by said convention.

Resolved, That unless we can be assured that the rights of our ministry and membership can be effectually secured according to the discipline, against future aggressions, we shall deem the contemplated division as unavoidable.

Resolved, That should the proposed convention, representing the annual conferences of the Methodist Episcopal Church in the slaveholding States, appointed to assemble at the city of Louisville, Kentucky, the 1st of May, 1845, proceed to a separate organization, as contingently provided for in the foregoing resolutions, then, in that event, the convention shall be regarded as the regular General Conference, authorized and appointed by the several annual conferences of the southern division of the Church, and as possessing all the rights, powers, and privileges of the General Conference of the Methodist Episcopal Church in the United States of America, and subject to the same restrictions, limitations, and restraints.

Resolved, That in order to secure the constitutional character and action of the convention as a General Conference proper, should a separate organization take place, the ratio of representation as now found in the second restrictive rule, one for every twenty-one, shall prevail and determine the constitutional delegates, taking and accrediting as such the proper number from each annual conference, first elected in order, and that the supernumerary delegates be regarded as members of the convention to deliberate, but not members of the General Conference proper, should the convention proceed to a separate organization in the South. Provided, nevertheless, that should any delegate or delegates who would not be excluded from the General Conference proper, by the operation of the above regulation, be absent, then any delegate or delegates present, not admitted by said regulations as a member or members of the constitutional General Conference, may lawfully take the seat or seats of such absent delegates, upon the principle of selection named above.

Resolved, That we have read with deep regret the violent proceedings of some of our southern brethren, in their primary meetings, against some of our Bishops and others; and that we do most cordially invite to our pulpits and firesides all our Bishops and northern brethren, who, in the event of a division, shall belong to the Northern Methodist Episcopal Church.

Resolved, That the preachers shall take up public collections in all their circuits and stations, some time before the first day of March next, for the purpose of defraying the expenses of the delegates to the above named convention, and pay over the same to the delegates, or the respective presiding elders, so that the delegates may receive the same before starting to the convention.

WM. PATTEN,
ANDREW MONROE,
J. BOYLE,
W. W. REDMAN,
JOHN GLANNVILLE,
E. PERKINS,
T. W. CHANDLER,
JAS. G. T. DUNLEAVY,
JOHN THATCHER,
Committee.

The following resolutions were offered and immediately adopted by the conference:

Resolved, That we approve the course of our delegates in their action at the late General Conference, in the case of Bishop Andrew, and the part they took in the subsequent acts of the southern delegates, growing out of the proceedings of the majority, and they are hereby entitled to our hearty thanks for their manly course in a trying crisis.

Resolved, That we invite the Bishops of our church, who may feel free to do so, and they are hereby invited, to attend the contemplated convention at Louisville, Kentucky.

J. H. LINN,
R. BOYD.

The Holston Conference adopted the following report and resolutions from the Committee on Separation:

Report of the Committee on Separation.

The committee, to whom was referred the subject of church separation, and other matters connected therewith, would respectfully submit the following report:

In common with our brethren all over our widely extended Zion, our hearts are exceedingly pained at the prospect of disunion growing out of the action of the late General Conference in the case of Bishop Andrew. Your committee believe this action to be extra-judicial, and

forming a highly dangerous precedent. The aspect of affairs at the close of the General Conference was indeed gloomy; and while we have sought for light from every possible source, we cannot believe that our church papers are the true exponents of the views and feelings of the whole South or of the whole North. We would respect the opinions of our brethren everywhere, but we feel that we shall not be doing justice to ourselves, the church, or the world, if we do not express independently, and in the fear of God, our own sentiments on this important subject. We are not prepared to see the church of our love and choice, which has been so signally blessed of God, and cherished by the tears, prayers, and untiring efforts of our fathers, lacerated and torn asunder without one more effort to bind up and heal her bleeding wounds. Therefore,

Resolved, That we approve of the proposed convention to be holden at Louisville, Kentucky, May 1st, 1845; and will elect delegates to said convention, according to the ratio agreed upon at the last General Conference by the southern delegates.

Resolved, That the conferences in the non-slaveholding States and Territories be, and they are hereby, respectfully requested to elect one delegate from each Annual Conference, (either in conference capacity or by the presiding elders,) to meet with one delegate from each of the slaveholding conferences, in the city of Louisville, Kentucky, on the first day of May, 1845, to devise some plan of compromise. And, in the event that the non-slaveholding conferences, or any number of them, which, with the slaveholding conferences, shall make a respectable majority of all the Annual Conferences, shall so elect delegates, then, and in that case, the delegates which we will elect from this conference to the Louisville convention, shall appoint one of their number on said committee of compromise. And the southern and southwestern conferences are respectfully requested to agree to act upon this plan.

Resolved, That if nothing can be effected on the foregoing plan, then the delegates from this conference are instructed to propose to the Louisville convention the following, or some similar plan, as the basis of connexion between the two General Conferences, proposed in case of separate organization: The said General Conference, shall appoint an equal number of delegates, (say ten,) who shall meet together in the interim of the General Conferences, to whom shall be referred for adjustment all matters of difference between the two General Conferences, or those churches over which they exercise jurisdiction, their decisions or propositions for adjustment to be referred for ultimate action to the General Conference before mentioned; and when both General Conferences have confirmed their decision, it shall be final and binding on both parties.

Resolved, That if both the foregoing propositions should fail, then the delegates from this conference are instructed to support the plan of separation proposed by the late General Conference. And in so doing we positively disavow secession, but declare ourselves, by the act of the

General Conference, a co-ordinate branch of the Methodist Episcopal Church. And in the event of either the second or third proposition obtaining, the delegates from this conference are instructed not to favor any, even the least, alteration of our excellent Book of Discipline, except in so far as may be necessary to form a separate organization.

Resolved, That our delegates to the late General Conference merit the warmest expression of our thanks, for their prudent, yet firm, course in sustaining the interests of our beloved Methodism in the South.

Resolved, That we warmly commend the truly Christian and impartial course of our Bishops at the late General Conference, and we affectionately invite all our superintendents to attend the convention to be holden at Louisville, Kentucky.

All which is respectfully submitted.

T. K. CATLETT,
T. SULLINS,
A. H. MATHES,
EPHM. E. WILEY,
DAVID FLEMING,
C. FULTON,
R. M. STEVENS,
JAS. CUMMING,
O. F. CUNNINGHAM.

The following report and resolutions, from the Committee on Separation, were adopted by the Tennessee Conference:

Report of the Committee on Separation.

The committee, to whom was referred the proposed division of the Methodist Episcopal Church into two separate and distinct General Conference jurisdictions, and kindred subjects, having had the same under mature consideration, beg leave to submit the following:

Apprised as we are that the actions of the late General Conference, together with the entire merits of the proceedings of that body, leading to the contemplated separation of the church, have been fully and fairly presented to our people, and that both the ministry and membership within our bounds have, with great solicitude and prayerful anxiety, investigated the subject in its various relations, principles, and bearings, we deem it entirely inexpedient at present to enter into detail, or to prepare an elaborate investigation of the very important matters committed to us; therefore your committee present the result of their deliberations to the conference by the offering, for your consideration and adoption, the following resolutions:

1. Resolved, That it is the candid and deliberate judgment of this conference that the action of the late General Conference, by which Bishop Andrew was virtually deposed, as well as their action in confirming the decision of the Baltimore Conference in the case of the Rev. F. A. Harding, is not sustained by the discipline of our church,

and that we consider such extra-judicial proceeding as constituting a highly dangerous precedent.

2. That, under the great affliction caused by these unfortunate proceedings, we did most ardently hope and pray that the calamitous consequences might have been averted. But since the only plausible plan of reconciliation—the proposition unanimously recommended by our beloved superintendents—was put down by the majority in the late General Conference, we honestly confess we see at present no prospect to avoid a separation.

3. That we approve the holding a convention of delegates from all the conferences in the slaveholding States, in the city of Louisville, on the first day of May next, agreeably to the recommendation of the southern and southwestern delegates in the late General Conference; and that the ratio of representation proposed by said delegates, to wit, one delegate for every eleven members of conference, be, and the same is hereby, adopted; and this conference will elect delegates to the proposed convention upon said basis.

4. That, should a division be found to be indispensable, the delegates of this conference are required to act under the following instruction, to wit, that the Southern and Southwestern Conferences shall not be regarded as a secession from the Methodist Episcopal Church, but that they shall be recognised in law, and to all intents and purposes, as a co-ordinate branch of the Methodist Episcopal Church in the United States of America, simply acting under a separate jurisdiction. And furthermore, as we are well satisfied with the discipline of our church as it is, this conference instruct its delegates not to support or favor any change in said discipline by said convention, except in so far as may be necessary to conform it in its economical arrangements to the new organization.

5. That unless we can be well assured that the rights of our ministry and membership can be effectually secured according to discipline against future aggression, and full reparation be made for past injury, we shall deem the contemplated division unavoidable.

6. That should the proposed convention, representing the annual conferences of the Methodist Episcopal Church in the slaveholding States, appointed to assemble in the city of Louisville the first of May next, proceed to a separate organization, as contingently provided for in the foregoing resolutions, then, and in that event, the convention shall be regarded as the regular General Conference, authorized and appointed by the several annual conferences of the southern division of the church in the United States, and as possessing all the rights and privileges of the General Conference of the Methodist Episcopal Church in the United States of America, and subject to the same constitutional limitations and restrictions.

7. That in order to secure the constitutional character and action of the convention, as a General Conference proper, should a separate organization take place, the ratio of representation, as now found in the second restrictive rule, one for every twenty-one, shall prevail and de-

termine the number of constitutional delegates, taking and accrediting as such the proper number from the annual conference first elected in order; and that the supernumerary delegates be regarded as members of the convention to deliberate, but not members of the General Conference proper, should the convention proceed to a separate organization in the South: Provided, nevertheless, That should any delegate or delegates—who would not be excluded from the General Conference proper by the operation of the above regulation—be absent, then any delegate or delegates present, not admitted by said regulation as member or members of the Constitutional General Conference, may lawfully take the seat or seats of such absent delegates, upon the principle of selection named above.

8. That we do most cordially approve of the course of our delegates in the late General Conference in the premises, and that we tender them our sincere thanks for their faithful and independent discharge of duty in a trying crisis.

9. That the secretary of this conference be directed to have the foregoing preamble and resolutions published in the Southwestern Christian Advocate.

All which is respectfully submitted.

F. E. PITTS,
JOSHUA BOUCHER,
F. G. FERGUSON,
G. W. DYE,
P. P. NEELY,
W. D. F. SAWRIE,
JNO. W. HANNER,
A. F. DRISKILL,
R. L. ANDREWS.

The following resolutions were adopted by the conference:

Resolved, That this conference invite the Bishops of the Methodist Episcopal Church to attend the convention at Louisville, Kentucky.

Resolved, That the preacher in charge of each circuit and station shall lift a collection, before the first day of April next, to defray the expenses of our delegates to the convention at Louisville, Kentucky. The funds so collected shall be handed over to the nearest delegate, or forwarded to the editor of the Southwestern Christian Advocate, and shall be equally distributed among the delegates in proportion to their expenses; and should any surplus accrue, it shall be returned to the conference at its next session, and shall be applied, as the other conference funds, in making up the deficiency of our preachers, &c.

On the resolution of the Holston Conference, suggesting a plan of a compromise, it was unanimously

Resolved, That sympathizing as we do with our brethren of the Holston Conference in the feeling of deep regret for the necessity of a separation of the southern portion of our church from the northern, and willing as we would be to preserve the union of our beloved church

upon principles safe and just to ourselves and conservative of the Discipline, yet inasmuch as any proposition for a compromise of existing difficulties, which might be proposed with any probability of success, should come in an authoritative manner from the northern section of the church, and believing the plan proposed by the Holston Conference would, if generally adopted by the South, utterly fail to meet the object contemplated, therefore we cannot agree to the proposition.

The following report and resolutions were submitted to the Memphis Conference by their Committee on Separation, and was unanimously adopted:

Report of the Committee on Separation.

The committee, to whom was referred the subject of the division of the church into two separate General Conference jurisdictions, and all matters connected therewith, after solemnly and prayerfully deliberating upon the same, present the following report. Inasmuch as the conference is presumed to be well informed on the merits of the subject, we deem it unnecessary to consume time by entering into an extended and argumentative investigation of the various relations, principles, and bearings of the same, but proceed at once to offer the following resolutions for the action of the conference:

Resolved, 1. That it is the deliberate judgment of this conference, that the action of the late General Conference of the Methodist Episcopal Church, virtually deposing Bishop Andrew, and also their action in affirming the decision of the Baltimore Annual Conference in the case of the Rev. F. A. Harding, are not sustained by the Discipline of our church, and that we consider these proceedings as constituting a highly dangerous precedent.

2. That we deeply regret the prospect of division growing out of these proceedings, and do most sincerely and devoutly pray to the great Head of the church, that some effectual means, not inconsistent with the interests of the cause of Christ, or the honor of all concerned, may be suggested and devised, by which so great a calamity may be averted, and our long cherished union preserved and perpetuated.

3. That we approve the holding a convention of delegates from the conferences in the slaveholding States, in the city of Louisville, Kentucky, on the first day of May next, agreeably to the recommendation of the southern and southwestern delegates in the late General Conference; and that the ratio of representation proposed by said delegates, to wit, one delegate for every eleven members of conference, be and the same is hereby adopted; and that this conference will elect delegates to the proposed convention on said basis.

4. That should a division be found to be indispensable, the delegates of this conference are hereby required to act under the following instructions, to wit: That the southern and southwestern conferences shall not be regarded as having by such division seceded from the Methodist Episcopal Church, but they shall be recognised in law, and to all intents and purposes, as a co-ordinate branch of the Methodist

Episcopal Church in the United States of America, simply acting under a separate jurisdiction. And further, that being well satisfied with the Discipline of the church as it now is, this conference instructs its delegates not to support or favor any change in said Discipline, by said convention, only so far as is necessary to perfect a southern organization.

5. That unless we can be assured that the rights of our ministry and membership will be effectually secured, according to Discipline, against future aggressions, and full reparation be made for past injury, we shall deem the contemplated division unavoidable.

6. That should the proposed convention, representing the Annual Conferences of the Methodist Episcopal Church in the slaveholding States, appointed to assemble at the city of Louisville, on the first day of May, 1845, proceed to a separate organization, as contingently provided for in the foregoing resolutions; then, and in that event, the convention shall be regarded as the regular General Conference, authorized and appointed by the several Annual Conferences of the southern division of the church, and as possessing all the rights, powers, and privileges of the General Conference of the Methodist Episcopal Church in the United States of America, and subject to the same restrictions, limitations, and restraints.

7. That in order to secure the constitutional character and action of the convention, as a General Conference proper, should a separate organization take place, the ratio of representation as it now stands in the second restrictive rule, one for every twenty-one, shall prevail, and determine the constitutional delegates, taking as such the proper number from each Annual Conference first elected in order, and that the remaining delegates be regarded as members of the convention to deliberate, but not members of the General Conference proper, should the convention proceed to a separate organization in the South. Provided, nevertheless, that should any delegate or delegates who would not be excluded from the General Conference proper, by the operation of the foregoing regulation, be absent, then any delegate or delegates present, not admitted by said regulation as a member or members of the constitutional General Conference, may lawfully take the seat or seats of such absent delegates upon the principles of selection before named.

8. That we have witnessed with sorrow and disapprobation alike the violence manifested by some at the South, and the ultraism displayed by others at the North; and that we regret exceedingly that any Annual Conference should have deemed it necessary to refuse to concur in the recommendation of the late General Conference to alter the sixth restrictive article; nevertheless, we shall entertain for our brethren of the North the feeling of Christian kindness and brotherly love.

9. That we heartily approve the entire course pursued by our delegates at the late General Conference.

10. That we cordially invite such of our Bishops, as may deem it proper, to be present at the contemplated convention in Louisville.

11. That it be made the duty of each preacher to take up a public collection in every congregation under his charge, for the purpose of defraying the expenses of the delegates to the convention, and that such collections be taken up previous to the first Sabbath in April next, and immediately transmitted to some one of the delegates. And that the delegates be required to report to the next Annual Conference the sums received by them for this purpose, together with the amount expended by them in attending said convention.

12. That the secretary of this conference be instructed to forward the foregoing to the southwestern Christian Advocate for publication, with a request that all other church papers copy.

MOSES BROCK,
JOSEPH TRAVIS,
THOMAS SMITH,
M. J. BLACKWELL,
J. T. BASKERVILLE,
D. J. ALLEN,
B. H. HUBBARD,
WILLIAM PEARSON,
A. T. SCRUGGS.

The Mississippi Conference adopted the following preamble and resolutions:

Report of the Committee on Division.

The committee, to whom was referred the subject of the contemplated division of the Methodist Episcopal Church, have endeavored to examine the subject carefully, and in a spirit of reliance upon the teachings of the Word of God for direction.

Your committee can but deplore the existence of such causes as compel the church of our choice to meditate a severance of that union which has so long existed, and which, under God, has contributed so efficiently to the spread of Scriptural holiness through these lands. But we are fully convinced that justice to ourselves, as well as compassion for the slaves, demand an unqualified disapproval of the action of the late General Conference; first, in confirming the decision of the Baltimore Conference, in the case of Rev. F. A. Harding; and secondly, in virtually suspending Bishop Andrew from the Episcopacy, not only without law or usage, but in direct contravention of all law, and in defiance of a resolution adopted by the General Conference of 1840, which provides, "that under the provisional exception of the general rule of the church on the subject of slavery, the simple holding of slaves, or mere ownership of slave property, in the States or territories where the laws do not admit of emancipation and permit the liberated slave to enjoy freedom, constitutes no legal barrier to the election or ordination of ministers to the various grades of office known in the

ministry of the Methodist Episcopal Church, and cannot therefore be considered as operating any forfeiture of right in view of such election and ordination."

With the abstract question of slavery we are not now concerned, nor do we regard it as a subject on which the church has a right to legislate; neither are we disposed in this report to state the full extent of our grievances, or to investigate the reasons which impose upon us the necessity of planning an amicable separation. Your committee deeply regret the injury which may be inflicted upon our beloved Zion by the intemperate and unjust denunciation of the whole North by those who have occasion to complain of the illegal and oppressive course pursued by the majority of the late General Conference, and most earnestly recommend the exercise of that charity which "suffereth long and is kind." As the result of our prayerful examination of the subject in all its bearings, we offer the following resolutions for your consideration and adoption:

Resolved, 1. That the decision of the late General Conference in the cases of Rev. F. A. Harding and Bishop Andrew, was unauthorized by the Discipline of the Methodist Episcopal Church, and that a tame submission to them upon the part of the Church in the slaveholding States would prevent our access to the slaves, and expose us to suspicions destructive to our general usefulness.

Resolved, 2. That as no authorized plan of compromise has been suggested by the North, and as all the propositions made by the southern delegates were rejected, we regard a separation as inevitable, and approve the holding of a convention, to meet in Louisville, Kentucky, on the first day of May next, agreeably to the recommendation of the southern and southwestern delegates to the late General Conference; and that the ratio of representation proposed by said delegates, to wit, one delegate for every eleven members of the annual conferences, be, and the same is hereby, adopted, and that this conference will elect delegates to the proposed convention upon said basis: Provided, however, that if, in the providence of God, any plan of compromise which, in the judgment of our delegates, will redress our grievances, and effectually secure to us the full exercise and peaceable enjoyment of all our disciplinary rights, should be proposed in time to prevent disunion, we will joyfully embrace it.

Resolved, 3. That our delegates to said convention shall be empowered to co-operate with the delegates to said convention from the other conferences, in adopting such measures as they shall deem necessary for the complete organization of a Southern Church, provided that it conform in all its essential features to the Discipline of the Methodist Episcopal Church.

Resolved, 4. That the course pursued by our immediate representatives in the late General Conference was and is approved by us.

Resolved, 5. That the conciliatory spirit evinced by our general superintendents entitles them to the unqualified approbation of the whole

Church, and that we do most cordially invite them to attend the proposed convention.

All of which is respectfully submitted.

D. O. SHATTUCK,
WM. H. WATKINS,
JNO. G. JONES,
B. PIPKIN,
L. CAMPBELL,
JNO. N. HAMILL,
A. T. M. FLY,
DAVID M. WIGGINS,
W. G. GOULD.

Eighty-one voting, concurring in the change of the sixth restrictive rule—none non-concurring.

Resolved, That the first Friday in May next be set apart as a day of special fasting and prayer for the superintendence and direction of Divine Providence, with regard to our Church difficulties, that the delegates may act so as to bring the greatest glory to God and the most good to his Church.

The committee to whom was referred the resolutions of the Holston Conference, have had the same under consideration, and, although we hold ourselves in readiness to accept any plan of pacification which obliterates the distinction between Northern and Southern Methodists, we do not regard the resolution of the Holston Conference as sanctioned by the North, or practicable in itself. Therefore,

Resolved, That this conference do not concur.

D. O. SHATTUCK,
WM. HAMILTON WATKINS,
JNO. G. JONES,
B. PIPKIN,
L. CAMPBELL,
J. N. HAMILL,
A. T. M. FLY,
D. M. WIGGINS,
WM. G. GOULD.

Seventy-three non-concurring—none concurring.

The following report and resolutions from the Committee of Seven were adopted by the Arkansas Conference:

Report of the Committee on Division.

The committee, to whom was referred the several subjects connected with the prospective division of the Methodist Episcopal Church, have had the same under calm and prayerful consideration, and beg leave to present the following as the result of their honest deliberations.

Being well convinced that the members of this body have not been inattentive to the proceedings of the late General Conference, and that

they have not failed to derive some information from the numerous addresses and communications that have appeared in our periodicals, your committee have not been disposed to waste their time, nor insult your judgments, by detailing the many circumstances which, were you differently situated, would require amplification; they, therefore, present to your minds, for consideration and action, the subjoined resolutions:

1. Resolved, That it is the decided opinion of this conference that the Discipline of the Methodist Episcopal Church does not sustain the action of the late General Conference in the cases of Rev. F. A. Harding and Bishop Andrew.

2. Resolved, That we approve the suggestions of the Bishops, as well as the request of several southern delegates, which contemplated the postponing of the action of the General Conference until the wishes of the whole Church could be consulted.

3. Resolved, That, as we see no probability that reparation will be made for past injuries, and no security given that the rights and privileges of the ministry and membership in the slaveholding conferences will be equally respected, we believe it is the imperative duty, if not the only alternative, of the South to form a separate organization. Nevertheless, should honorable and satisfactory propositions for pacification be made by the North, we shall expect our delegates to favor the perpetuation of the union.

4. Resolved, That we approve the holding of a convention of delegates from the conferences in the slaveholding States, in the city of Louisville, Kentucky, on the first day of May, 1845, agreeably to the recommendation of the delegates from the Southern and Southwestern Conferences, in the late General Conference.

5. Resolved, That should the proposed convention, representing the Methodist Episcopal Church in the slaveholding States, appointed to assemble at Louisville, Kentucky, the first day of May, 1845, proceed to a separate organization, as contingently provided for in the foregoing resolutions, then, in that event, the convention shall be regarded as the regular General Conference authorized and appointed by the several annual conferences in the Southern division of the Church, and as possessing all the rights, powers, and privileges of the General Conference of the Methodist Episcopal Church in the United States of America, and subject to the same restrictions, limitations, and restraints.

6. Resolved, That in order to secure the constitutional character and action of the convention as a General Conference proper, should a separate organization take place, the ratio of representation, as now found in the second restrictive rule, one for every twenty-one, shall prevail and determine the constitutional delegates, taking and accrediting as such the proper number from each annual conference, first elected in order; and that the supernumerary delegates be regarded as members of the convention to deliberate, but not members of the General Conference proper, should the convention proceed to a separate

organization in the South. Provided, nevertheless, that should any delegate or delegates who would not be excluded from the General Conference proper, by the operation of the above regulation, be absent, then any delegate or delegates present, not admitted by said regulation as a member or members of the constitutional General Conference, may lawfully take the seats of such absent delegates, upon the principle of selection named above.

7. Resolved, That, as we are well satisfied with the Discipline of the Methodist Episcopal Church as it is, we hereby instruct our delegates to said convention not to favor any change therein.

8. Resolved, That, though we feel ourselves aggrieved, and have been wounded, without cause, in the house of our friends, we have no disposition to impute wrong motives to the majority in the late General Conference, and no inclination to endorse those vindictive proceedings had in some portions of the South, believing it to be the duty of Christians, under all circumstances, to exercise that charity which beareth all things.

9. Resolved, That the preachers take up collections on their several circuits and stations, at an early period, and hand the money collected to their presiding elders, that the delegates may receive the whole amount collected before they shall be required to start for Louisville.

10. Resolved, That we tender our warmest thanks to our representatives in the late General Conference, for the stand which they took, with others, in defence of our disciplinary rights.

11. Resolved, That the Bishops generally be, and they hereby are requested, if it be congenial with their feelings, to attend the convention at Louisville.

12. Resolved, That we recommend to our people the observance of the first of May next as a day of humiliation and prayer, that the Divine Presence may attend the deliberations of the convention.

JOHN HARRELL,
FOUNTAIN BROWN,
J. B. ANNIS,
JACOB CUSTER,
ALEXANDER AVERY,
J. F. TRUSLOW.

The Virginia Conference adopted the following preamble and resolutions, as reported by the Committee on Separation:

Report of the Committee on Separation.

The committee, to whom was referred the resolutions of the late General Conference, recommending to all the annual conferences at their first approaching sessions, to authorize a change of the sixth restrictive article, so that the first clause shall read, "They shall not appropriate the produce of the Book Concern nor of the Chartered Fund to any purpose, other than the travelling, supernumerary, superannu-

ated, and worn-out preachers, their wives, widows, and children, and to such other purposes as may be determined on by the votes of two-thirds of the members of the General Conference,"—and to whom was also referred the address of the southern delegates in the late General Conference, recommending a Southern Convention, to be held in Louisville, Kentucky, on the first day of May, 1845; together with the proceedings of various primary and quarterly conference meetings within the bounds of the Virginia Conference on the subject of a separation from the ecclesiastical jurisdiction of the General Conference of the Methodist Episcopal Church, beg leave to report:

That, having maturely considered these subjects, they do not deem it necessary to present an argument upon the various topics submitted to them; but that the duty assigned them will probably be more satisfactorily accomplished in the following series of resolutions, viz:

Resolved, 1. That we concur in the recommendation of the late General Conference to change the sixth restrictive article of the Discipline of our church.

Resolved, 2. That, from the ample sources of information before your committee, in numerous primary meetings, which have been held in various charges within our pastoral limits, and the proceedings of quarterly meeting conferences, which we have the most sufficient reason to regard as a fair and full exponent of the mind and will of the membership upon the subject of the action of the recent General Conference, and the propriety of division,—we are of opinion, that it is the mind of the laity of the church, with no exception sufficient to be regarded as the basis of action, that, whilst they seriously deprecate division, considered relatively, and most earnestly wish that some ground of permanent union could have been found, they see no alternative, and therefore approve of a peaceable separation in the present circumstances of our condition; and in this opinion and this determination your committee unanimously concur.

Resolved, 3. That we concur in the recommendation of the southern delegates in the late General Conference that there be a Southern convention, to be held in Louisville, Kentucky, on the 1st day of May, 1845; and in the objects of this Convention, as contemplated in the address of the southern delegates.

Resolved, 4. That while we do not propose to dissolve our connexion with the Methodist Episcopal Church, but only with the General Conference of the Methodist Episcopal Church, we are, therefore, entitled to our full portion of all the rights and privileges appertaining to the property of the church. Nevertheless, our delegates to the convention to be held in Louisville, Kentucky, in May, 1845, are hereby instructed not to allow the question of property to enter into the calculation whether or not we shall exist as a separate organization.

Resolved, 5. That the action of the late General Conference in the case of Bishop Andrew was in violation of the provisional rule of the Discipline on the subject of slavery, and in derogation of the dignity and authority of the Episcopal office; it was, therefore, equally opposed

to the rights of the southern portion of the church, and of those of the incumbents of the Episcopal office. But more than this; it was an effort to accomplish, by legislative action, what it was only competent for them to do, if at all, by regular judicial process; the very attempt was an acknowledgment that there was no rule of Discipline under which he could either be deposed or censured, and that the General Conference, being unrestrained by the authority of law, was supreme. Thus, both the Episcopal office and its incumbents were taken from under the protection of the constitutional restriction, and the provisional rule of Discipline, by which it was made a co-ordinate branch of the government, and placed at the caprice of a majority, which claims that its mere will is the law of the church.

Bishop Andrew, therefore, in refusing to resign his office, or otherwise yield to this unwarranted assumption of authority on the part of the General Conference, has taken a noble stand upon the platform of constitutional law, in defence of the Episcopal office and the rights of the South, which entitles him to the cordial approbation and support of every friend of the church; and we hereby tender him a unanimous expression of our admiration of his firmness in resisting the misrule of a popular majority.

Resolved, 6. That we cordially approve the course of the southern and southwestern delegates of the late General Conference, in resisting with so much constancy and firmness the encroachments of the majority upon the rights of the South, and for so faithfully warning them against the tendency of those measures, which we fear do inevitably draw after them the dissolution of our ecclesiastical union.

JOHN EARLY,
THOMAS CROWDER, Jr.,
WM. A. SMITH,
ABRAM PENN,
GEORGE W. NOLLEY,
ANTHONY DIBRELL,
H. B. COWLES,
D. S. DOGGETT,
JOSEPH H. DAVIS.

The recommendation to change the sixth restrictive article was concurred in—eighty-one in favor, and none against it; and the whole report of the committee was unanimously adopted by the Conference.

The North Carolina Conference adopted the following report and resolutions from the Committee on Division:

Report of the Committee on Division.

The committee, to whom the resolution of the late General Conference, respecting the alteration of the sixth restrictive rule, the report of the select committee of nine on the declaration of the southern delegates, and the reports of numerous voluntary meetings, both of minis-

ters and people, within the bounds of North Carolina Conference, were referred, beg leave to report:

Your committee deeply regret the division of the Methodist Episcopal Church, which the course of the majority in the late General Conference renders not only necessary but inevitable. The unity of the Church, so long the boast and praise of Methodism, was a feature greatly admired, and more than esteemed by southern Methodists. For its promotion and preservation they were willing to surrender any thing but principle—vital principle. This they could not do!—this they durst not do! The course of the late General Conference demanded a submission on the part of the ministers in the slaveholding conferences which the Discipline did not require, and the institutions of the South absolutely forbade. To have yielded, therefore, would have opened a breach in Methodism wholly subversive of the Church, and greatly mischievous to the civil community—to have yielded would have been ruin! This, therefore, they refused to do; absolutely refused! With the Discipline in their hands, sustained and upheld by it, they protested against the proceedings of the majority, with an unfaltering and manly voice, declaring them to be not only unauthorized, but unconstitutional. The protestation, however, just and legal as it was, authorized and borne out by the Discipline, was altogether unavailing. Nothing was left for the South to do, but to pass from under the jurisdiction of so wayward a power, to the regulations and government of our old, wholesome, and Scriptural Discipline. This, we sorrow when we say it, has opened a great gulf—we fear an impassable gulf—between the North and the South. This consolation, however, if no other, they have—the good Book of Discipline, containing the distinctive features of the Methodist Episcopal Church, shall still lie on the South side. Compelled by circumstances which could neither be alleviated nor controlled—which neither the entreaties of kindness nor the force of truth could successfully resist, we hesitate not to decide on being forever separate from those whom we not only esteem, but love. Better far that we should suffer the loss of union, than that thousands, yea millions, of souls should perish.

From the reports of quarterly meeting conferences and numerous voluntary meetings within the bounds of the North Carolina Conference, both of ministers and people, we feel assured that it is the mind of our people and preachers fully to sustain the action of the southern and southwestern delegates, as set forth in the Declaration and Protest: and therefore,

1. Resolved, That the time has come for the ministers of the Methodist Episcopal Church in the slaveholding States to refuse to act in union with the North.

2. Resolved, That we concur in the proposed alterations of the sixth restrictive rule of the Discipline.

3. Resolved, That we concur in the recommendation to hold a Convention in Louisville, Kentucky, in May, 1845.

4. Resolved, That this Conference elect delegates to said Convention according to the basis of representation recommended.

5. Resolved, That the action of the late General Conference, in the case of Bishop Andrew, was a violation of the rule of Discipline on the subject of slavery, and derogatory to the dignity of the Episcopal office, by throwing it from under the protection of law, and exposing it to the reproach and obloquy of misrule and lawless power. The Bishop, therefore, acted justly and honorably in resisting such action and declining obedience to the resolution of said Conference; and for thus guarding and respecting the rights of the South, both of ministers and people, he is entitled to our highest regards.

All which is respectfully submitted.

H. G. LEIGH,
S. S. BRYANT,
JAS. JAMESON,
P. DOUB,
BENNET T. BLAKE,
JAMES REID,
D. B. NICHOLSON,
R. J. CARSON,
WM. CARTER.

The above report was unanimously adopted by the Conference. On the question of concurrence in altering the sixth restrictive rule, the vote was—ayes 58, nays none.

S. S. BRYANT,
Sec'y of N. C. An. Conf.

The following preamble and resolutions were adopted by the South Carolina Conference, relative to the subject of separation:

The Report of the Committee on Separation.

The committee, to whom was referred the general subject of the difficulties growing out of the action of the late General Conference on the case of Bishop Andrew and brother Harding; and, in particular, the report of the select committee on the declaration of the southern and southwestern delegates of the General Conference, as adopted by the Conference; and the proceedings of numerous Quarterly Conferences, and other meetings, in all parts of our Annual Conference district, respectfully offer the following report:

It appears to your committee, on the evidence of numerous documents, and the testimony of the preachers, in open Conference, that in all the circuits and stations of this Conference district, the people have expressed their minds with respect to the action of the General Conference, and the measures proper to be adopted in consequence of that action. Resolutions to that effect have been adopted by the Quarterly Conferences of all the circuits and stations, without any exception; and in many, perhaps in most of them, by other meetings also,

which have been called expressly for the purpose; and in some of them, by meetings held at every preaching place where there was a society. And on all these occasions, there has been but one voice uttered—one opinion expressed—from the sea-board to the mountains, as to the unconstitutionality and injurious character of the action in the case above named; the necessity which that action imposes for a separation of the Southern from the Northern Conferences, and the expediency and propriety of holding a convention at Louisville, Kentucky, and of your sending delegates to it, agreeably to the proposition of the southern and southwestern delegates of the late General Conference.

Your committee, also, have made diligent inquiry, both out of Conference, and by calling openly in Conference for information from the preachers, as to the number, if any, of local preachers, or other official members, or members of some standing among us, who should have expressed, in the meetings or in private, a different opinion from that which the meetings have proclaimed. And the result of this inquiry has been, that, in the whole field of our Conference district, one individual only has been heard to express himself doubtfully, as to the expediency of a separate jurisdiction for the Southern and Southwestern Conferences; not even one as to the character of the General Conference action. Nor does it appear that this unanimity of the people has been brought about by popular harangues, or any schismatic efforts of any of the preachers, or other influential persons; but that it has been as spontaneous as universal, and from the time that the final action of the General Conference became known, at every place. Your committee state this fact thus formally, that it may correct certain libellous imputations which have been cast on some of our senior ministers in the Christian Advocate and Journal, as well as for the evidence which it furnishes of the necessity of the measures which are in progress for the relief of the Church in the South and Southwest.

Your committee also consider it due to state, that it does not appear that the action of the General Conference in the cases of the Bishop and of brother Harding, proceeded of ill-will, as of purpose to oppress us; nor of any intended disregard of the authority of the Scriptures or of the Discipline, as if to effect the designs of a politico-religious faction, without warrant of the Scriptures, and against the Discipline and peace of the church; but they consider that action as having been produced out of causes which had their origin in the fanatical abolitionism of Garrison and others, and which, being suffered to enter and agitate the church, first in New England, and afterwards generally at the North, worked up such a revival of the anti-slavery spirit as had grown too strong for the restraints of either Scripture or Discipline, and too general through the eastern, northern, and northwestern conferences, to be resisted any longer by the easy, good-natured prudence of the brethren representing those conferences in the late General Conference. Pressed beyond their strength, whether little or much, they had to give way; and reduced (by the force of principles which, whether by their own fault or not, had obtained a controlling power) to the alternative

of breaking up the churches of their own conference districts, or adopting measures which they might hardly persuade themselves could be endured by the South and Southwest, they determined on the latter. The best of men may have their judgments perverted; and it is not wonderful that, under such stress of circumstances, the majority should have adopted a new construction of both Scripture and Discipline, and persuaded themselves that, in pacifying the abolitionists, they were not unjust to their Southern brethren. Such, however, is unquestionably the character of the measures they adopted, and which the Southern churches cannot possibly submit to, unless the majority, who enacted them, could also have brought us to a conviction that we ought to be bound by their judgment, against our consciences, and calling of God, and the warrant of Scripture, and the provisions of the Discipline. But while we believe that our paramount duty in our calling of God, positively forbids our yielding the Gospel in the Southern States to the pacification of abolitionism in the Northern, and the conviction is strong and clear in our own minds that we have both the warrant of Scripture and the plain provisions of the Discipline to sustain us, we see no room to entertain any proposition for compromise, under the late action in the cases of Bishop Andrew and brother Harding, and the principles avowed for the maintenance of that action, short of what has been shadowed forth in the report of the Select Committee which we have had under consideration, and the measures recommended by the Southern and Southwestern delegates at their meeting after the General Conference had closed its session.

Your committee do, therefore, recommend the adoption of the following resolutions:

1. Resolved, That it is necessary for the Annual Conferences in the slaveholding States and Territories, and in Texas, to unite in a distinct ecclesiastical convention, agreeably to the provisions of the report of the Select Committee of Nine of the late General Conference, adopted on the 8th day of June last.

2. Resolved, That we consider and esteem the adoption of the report of the aforesaid Committee of Nine, by the General Conference, (and the more for the unanimity with which it was adopted,) as involving the most solemn pledge which could have been given by the majority to the minority, and the churches represented by them, for the full and faithful execution of all the particulars specified and intended in that report.

3. Resolved, That we approve of the recommendation of the southern delegates, to hold a Convention in Louisville on the first day of May next, and will elect delegates to the same, on the ratio recommended in the address of the delegates to their constituents.

4. Resolved, That we earnestly request the bishops, one and all, to attend the said Convention.

5. Resolved, That while we do not consider the proposed Convention competent to make any change or changes in the Rules of Discipline, they may, nevertheless, indicate what changes, if any, are deemed

necessary under a separate jurisdiction of the Southern and Southwestern Conferences. And that it is necessary for the Convention to resolve on, and provide for, a separate organization of these conferences under a General Conference, to be constituted and empowered, in all respects, for the government of these conferences, as the General Conference hitherto has been with respect to all the Annual Conferences; according to the provisions and intentions of the late General Conference.

6. Resolved, That as, in common with all our brethren of this conference district, we have deeply sympathized with Bishop Andrew in his afflictions, and believe him to have been blameless in the matter for which he has suffered; so, with them, we affectionately assure him of our approbation of his course, and receive him as not the less worthy, or less to be honored in his episcopal character, for the action which has been had in his case.

7. Resolved, That we recognise in the wisdom and prudence, the firmness and discretion, exhibited in the course of Bishop Soule, during the General Conference—as well as in former instances wherein he has proved his devotion to the great principles of constitutional right in our church—nothing more than was to be expected from the bosom friend of Asbury and McKendree.

8. Resolved, That, in common with the whole body of our people, we approve of the conduct of our delegates, both during the General Conference and subsequently.

9. Resolved, That we concur in the recommendations of the late General Conference for the change of the sixth article of the restrictive rules in the Book of Discipline, so as to allow an equitable pro rata division of the Book Concern.

W. CAPERS,
W. SMITH,
H. BASS,
N. TALLEY,
H. A. C. WALKER,
C. BETTS,
S. W. CAPERS,
S. DUNWODY,
R. J. BOYD,
Committee.

The Indian Mission Conference adopted the following resolutions relative to division:

Report of the Committee on Separation.

The committee, to whom was referred the action of the late General Conference, relating to an amicable division of the Methodist Episcopal Church in the United States, beg leave to report the following resolutions for adoption by the conference:

1. Resolved, That we concur in the proposed alteration in the sixth restrictive article of the Discipline.

2. Resolved, That we approve of the course pursued by the minority of the late General Conference.

3. Resolved, That we elect delegates to represent the Indian Mission Conference in the contemplated Convention to be held in Louisville, Kentucky, in May next.

4. Resolved, That this conference do deeply deplore the necessity for division of any kind in the Methodist Episcopal Church; and that we will not cease to send up our prayers to almighty God for his gracious interposition, and that he may guide the affairs of the church to a happy issue.

J. C. BERRYMAN, *Chairman.*

The above report having been read, was taken up, section by section, and disposed of as follows: The first resolution was adopted—ayes 14; nays 1. The second resolution was adopted, ayes 11—nays 3; declined voting, 4. The third resolution was adopted—ayes 16. The fourth resolution was adopted—ayes 17. The preamble and resolutions were then adopted by the Conference as a whole.

The Conference then proceeded, in accordance with the third resolution, to elect delegates to attend the proposed convention in Louisville, in May next. On counting the votes, it appeared that the whole number of votes given was twenty-one, of which number William H. Goode had received twenty, Edward T. Peery eighteen, scattering four. Whereupon, W. H. Goode and E. T. Peery, having received a majority of all the votes given, were declared duly elected. D. B. Cumming was then elected reserved delegate.

The following resolutions were on the next day unanimously adopted at the request of the delegates elect:

Resolved, That in view of the condition of the Church, at the present trying crisis, the members of this Conference will, when practicable, as near as may be, at the hour of twilight, in the evening of each day, until the close of the approaching convention at Louisville, meet each other at a throne of grace, and devoutly implore the blessing of God upon our assembled delegates in the discharge of their important duties.

Resolved, That the Friday preceding the opening of said convention, be set apart as a day of fasting and supplication to Almighty God for the continued unity, peace, and prosperity of the Methodist Episcopal Church; and that our members throughout this Conference be requested to join us in the devotions of that day.

WM. H. GOODE,
E. T. PEERY.

The following preamble and resolutions were unanimously adopted by the Georgia Conference:

Report of the Committee on Division.

The committee, appointed to take into consideration the difficulties of the Church, as growing out of the action of the General Conference in the case of Bishop Andrew, and to submit some recommendations to the Annual Conference for their adoption, beg leave to report:

The action of the majority in the last General Conference of the Methodist Episcopal Church, in the cases of Bishop Andrew and the Rev. Mr. Harding, has rendered it indispensable that the Conferences, within whose limits slavery exists, should cease to be under the jurisdiction of that body. They must either abandon the people collected under their ministry, and committed to their pastoral care, and the vast and widening field of missionary labor among the slaves—a field to which their attention is imperatively called by their sympathies as Christians, their sense of ministerial obligation as preachers of the Gospel, and their interests and duties as citizens—or they must live under the control of an ecclesiastical body, separate and distinct from, and independent of, the Conferences lying within the States and Territories where slavery is not allowed by law. In view of the relations before stated, that distinct organization is required by a necessity strict and absolute, and upon that issue we place it, before the Church and the world. The exigence which brings it upon us, arose not out of our acts or designs; no collateral considerations of expedience abated our zeal in withstanding it; no collateral issues upon points involved affected our determination to maintain the unity of the Church under one organization as heretofore existing; no pride of opinion, speculative differences, nor personal motives, have conducted us to this conclusion. We did not seek to effect any changes in the doctrine or discipline of our Church; we did not ask any boon at the hands of the General Conference, nor any exemption from the operation of the laws which were common to the whole connexion; and whatever consequences affecting the Church, or the civil community, may result from our movement, we confidently look for acquittal to the judgment of posterity, and the decision of the sober and unprejudiced among our contemporaries.

The General Conference violated the law of the Church; first, by confirming the decision of the Baltimore Conference, suspending the Rev. Mr. Harding from his connexion with that Conference as a travelling preacher therein, because he would not give freedom to slaves, which by the laws of the land he could not manumit; and, secondly, by passing a resolution intended to inhibit Bishop Andrew from the exercise of his Episcopal functions for the same reasons; in both cases contrary to the express provisions of the Discipline, which allows preachers to hold slaves wherever they are not permitted by the laws of the land to enjoy freedom when manumitted, and in both cases striking an effective blow at the fundamental principle of the economy of Methodism, as it destroys that general itinerancy of the preacher which is its most distinguished peculiarity; for under their decision, preachers holding slaves in Conferences, where by the law of the Discipline they

are allowed so to do, may not be transferred to Conferences within whose limits slavery does not exist.

By the same decision, both preachers and lay members holding slaves are thrown into an odious and dishonored caste—the first deprived of office therefor, and the religious character of both impeached, and thrown under suspicion thereby; to which must be added, as an evil not lightly to be regarded, nor slightly overlooked, that in connexion with the fanatical movements of abolitionists in the North, East, and West, it is well fitted to excite slaves to disaffection and rebellion, making it imperative upon governments and citizens to prohibit all communication between slaves and preachers, who either teach such doctrine, or impliedly admit it to be true by submitting to such dishonor and deprivation. Secondly. That in the case of Bishop Andrew the General Conference have violated the Discipline of the Church and invaded personal rights, which are secured by the laws of every enlightened nation, if not by the usages of every savage people on earth. They tried and sentenced Bishop Andrew without charges preferred, or a cognizable offence stated. If it is even admitted that they intended to charge him with "improper conduct," as a phrase used in the Discipline to embrace every class of offences for which a bishop is amenable to the General Conference, and on conviction liable to be expelled, they did not formally prefer that charge; if they intended to specify his "connexion with slavery," as the substantive offence under that charge, a "connexion with slavery" is not a cognizable offence under any law of our Church, written or unwritten, statutory or prescriptive; and the only "connexion with slavery" attempted to be established in his case, is expressly permitted by the Discipline in section 10th, part 2d, on slavery. If they claimed the right to declare, in their legislative capacity, that "such a connexion with slavery" was an offence in a bishop, they could only extend it to him retrospectively by ex post facto enactment, and even then it was never promulgated until the very moment in which they pronounced his sentence by a majority vote. But we cannot admit that the framers of our Discipline ever intended to subject a bishop to the monstrous injustice of being liable to be expelled by the General Conference, exercising original jurisdiction, for an impropriety short of immorality, or official delinquency, whilst they so cautiously secured his official and personal rights in all cases where that body has appellate cognizance of charges for positive immoralities; and we are confident that a fair and rational construction of the 4th and 5th questions, and their answers in the 4th section of the 1st chapter of the Discipline, will make "improper conduct," in the answer to the 4th question, and "immorality," in the 5th, descriptive of the same class of offences in the mind of the law-maker, who could never have intended to subject that venerable officer to expulsion for offences so light, that they could not be considered either immoralities or official delinquencies; and so entirely dependent for their very existence upon the caprice of varying notions of every General Conference, that they could not either be classified or designated.

The foregoing views we consider the embodiment of public opinion throughout our conference. The sentiments of our people in primary meetings, in quarterly conferences, as expressed in the most solemn forms, sustain the course of our delegation in the General Conference, and approve, and even demand, an organization which shall transfer the slaveholding conferences from the jurisdiction of the North. The unanimity of the people we verily believe to be without a parallel in the history of church action, and therefore feel ourselves perfectly justified in recommending to your body the adoption of the following resolutions, viz:

1. Resolved, That we will elect delegates to the convention to be held in Louisville, in Kentucky, on the 1st of May next, upon the basis of representation proposed and acted on by the other conferences; viz., one delegate from every eleven members of our conference.

2. Resolved, That our delegates be instructed to co-operate with the delegates from the other southern and southwestern conferences, who shall be represented in the convention in effecting the organization of a General Conference, which shall embrace those annual conferences, and in making all necessary arrangements for its going into operation as soon as the acts of the said convention shall have been reported by the several delegations to their constituents, and accepted by them, according to such arrangements as may be made by the convention for carrying the same into effect.

3. Resolved, That our delegates be instructed to use all prudent precautions to secure that portion of the Book Concern and Chartered Fund of the Methodist Episcopal Church, to which the annual conferences represented in the convention shall be unitedly entitled, and all the property to which the several annual conferences are entitled to them severally; and that to this end they be requested to obtain the written opinions of one or more eminent lawyers; but that in the event they must either abandon the property or remain under the jurisdiction of the General Conference of the Methodist Episcopal Church, constituted as it now is, they be left to the exercise of a sound discretion in the premises.

4. Resolved, That our delegates make a report to this body at its next session of all their acts and doings in the aforesaid convention, and this body shall not be bound by any arrangements therein made until after it shall have accepted and approved them in conference assembled.

5. Resolved, That our delegates be, and they are hereby, instructed not to agree to any alterations in the Discipline of the Methodist Episcopal Church, but that the Discipline adopted under the new organization shall be that known and recognised as the Discipline of the Methodist Episcopal Church in the United States, with such modifications only as are necessary formally to adapt it to the new organization.

6. Resolved, That we consider ourselves as an integral part of the Methodist Episcopal Church in the United States, and that we have done no act, nor do we authorize any act to be done in our name, by

which our title to be so considered shall be forfeited, unless in the event contemplated in the last clause of the third resolution it becomes necessary so to do.

7. Resolved, That we highly appreciate the devotion of our venerable senior Bishop to the constitution and discipline of the church, and his uncompromising firmness in maintaining both the one and the other, and hereby assure him of our increased confidence and affection.

8. Resolved, That our beloved Bishop Andrew has endeared himself to the preachers and people of the Southern Church by resisting the constitutional dictation of the majority of the late General Conference, and that we cordially approve his whole action in the case, and welcome him to the unrestricted exercise of his episcopal functions among us.

9. Resolved, That the course of our delegates in the trying circumstances by which they were surrounded during the last session of the General Conference meets our entire approbation.

10. Resolved, That we concur in the alteration of the sixth restrictive rule, as recommended by the resolution of the General Conference.

11. Resolved, That we do not concur with the Holston Conference in the resolution proposed by them, regarding it as tending to embarrass the action of the convention, without the slightest promise of good to either division of the church.

L. PIERCE,
THOMAS SAMFORD,
IGNATIUS A. FEW,
SAMUEL ANTHONY,
ISAAC BORING,
GEO. F. PIERCE,
JOHN W. TALLEY,
W. D. MATTHEWS,
J. B. PAYNE,
JOSIAH LEWIS.

It was further resolved, that the Bishops of the Methodist Episcopal Church be requested to attend the convention of southern delegates to be held at Louisville in May next.

The following report of the Committee of Nine was unanimously adopted by the Florida Conference.

Report of the Committee on Separation.

The committee, to whom was referred the subject of the action of the late General Conference in the cases of Bishop Andrew and F. A. Harding; also the report of the Committee of Nine in the late General Conference on the subject of a peaceable separation of the church; also the resolution of the Holston Conference on the same subject, submit the following resolutions, to wit:

1. Resolved, That we disapprove of the course of the late General Conference in the cases of Bishop Andrew and F. A. Harding.

2. That we heartily approve the proposed plan of separation as adopted by the General Conference, under which the southern and southwestern conferences are authorized to unite in a distinct ecclesiastical connexion.

3. That we are satisfied that the peace and success of the church in the South demand a separate and distinct organization.

4. That we commend and admire the firm and manly course pursued by Bishop Andrew under the trials he has had to encounter, and that we still regard him as possessing all his episcopal functions.

5. That the course pursued by our venerable senior superintendent, Bishop Soule, in defending the Discipline of our church, has served but to endear him to us more and more, and we heartily approve his course in inviting Bishop Andrew to assist him in his episcopal visitations.

6. That we tender our warmest thanks to all those brethren who voted in the minority in Bishop Andrew's case.

7. That we approve of the proposed convention to be held in Louisville the first of May next, and will proceed to elect delegates to said convention.

8. That we do not concur in the resolutions of the Holston Conference, proposing the election of delegates for forming a plan of compromise.

9. That we do concur in the recommendation of the late General Conference for the change of the sixth article in the restrictive rules in the Book of Discipline, allowing an equitable pro rata division of the Book Concern.

P. P. SMITH,
T. C. BENNING,
R. H. LUCKY,
J. W. YARBROUGH,
R. H. HOWREN,
W. W. GRIFFIN,
A. PEELER,
A. MARTIN,
S. P. RICHARDSON.

The Texas Conference adopted the following report and resolutions, presented by the Committee on Separation:

Report of the Committee on Separation.

The committee, to whom were referred certain acts of the late General Conference, causing and providing for a division of the Methodist Episcopal Church, or the General Conference thereof, and sundry communications pertaining thereto, have had the same under solemn and prayerful consideration, and beg leave to present the following report:

In view of the numerous expositions and arguments, pro and con., with which the Christian Advocates have teemed for some months, on the merits of the highly important subject upon which your committee have been called to act, they presume that the conference is too well enlightened to need an elaborate and argumentative investigation of them, in their multifarious relations and bearings; they, therefore, respectfully present the following resolutions as the result of their deliberations:

Resolved, 1. That we approve of the course of the southern and southwestern delegates in the late General Conference; and that their independent and faithful discharge of duty, in a trying crisis, commands our admiration and merits our thanks.

2. That we deeply deplore the increasingly fearful controversy between the northern and southern divisions of the Methodist Episcopal Church on the institution of domestic slavery, and that we will not cease to pray most fervently to the great Head of the Church for his gracious interposition in guiding this controversy to a happy issue.

3. That we approve the appointment of a convention of delegates from the conferences in the slaveholding States, in the city of Louisville, on the first of May next, by the southern and southwestern delegates in the late General Conference; and also the ratio of representation proposed by said delegates, to wit, one delegate for every eleven members of the conference, and that we will elect delegates to the proposed convention upon said basis, to act under the following instructions, to wit: To endeavor to secure a compromise between the North and South; to oppose a formal division of the church before the General Conference of 1848, or a general convention can be convened to decide the present controversy. But should a division be deemed unavoidable, and be determined on by the convention, then, being well satisfied with the Discipline of the church as it is, we instruct our delegates not to support or favor any change in said Discipline, by said convention, other than to adapt its fiscal economy to the southern organization.

4. That we approve of the dignified and prudent course of the bench of Bishops who presided in the late General Conference.

5. That it is the sense of this conference that the Rev. John Clarke, one of our delegates to the late General Conference, entirely misrepresented our views and sentiments in his votes in the cases of Rev. F. A. Harding and Bishop Andrew.

6. That we appoint the Friday immediately preceding the meeting of the proposed general convention of the delegates of the southern and southwestern conferences, as a day of fasting and prayer for the blessing of Almighty God on said convention, that it may be favored with the healthful influence of his grace and the guidance of his wisdom.

CHAUNCEY RICHARDSON,
ROBERT ALEXANDER,
SAMUEL A. WILLIAMS.

The Alabama Conference adopted the following preamble and resolutions in relation to separation:

Report of the Committee on Division.

The committee, appointed by the conference to take into consideration the subject of a separate jurisdiction for the southern conferences of the Methodist Episcopal Church, beg leave to report: That they have meditated with prayerful solicitude on this important matter, and have solemnly concluded on the necessity of the measure. They suppose it to be superfluous to review formally all the proceedings which constitute the unhappy controversy between the northern and southern portions of our Church, inasmuch as their sentiments can be expressed in one sentence. They endorse the unanswerable Protest of the minority in the late General Conference. They believe that the doctrines of that imperishable document cannot be successfully assailed. They are firm in the conviction that the action of the majority in the case of Bishop Andrew was unconstitutional. Being but a delegated body, the General Conference has no ligitimate right to tamper with the office of a general superintendent—his amenableness to that body and liability to expulsion by it, having exclusive reference to maladministration, ceasing to travel, and immoral conduct. They are of opinion that Bishop Andrew's connexion with slavery can come under none of these heads. If the entire eldership of the Church, in a conventional capacity, were to constitute non-slaveholding or even abolitionism, a tenure by which the Episcopal office should be held, or if they were to establish the office, they doubtless could plead the abstract right thus to modify or revolutionize the church in its supreme executive administration; but before the General Conference can justly plead this right, it must show when and where such plenary power was delegated to it by the only fountain of authority, the entire pastorate of the Church. Your committee are therefore of opinion, that the General Conference has no more power over a Bishop, except in the specified cases of maladministration, ceasing to travel, and immorality, than over the Episcopacy, as an integral part of our ecclesiastical polity. It can no more depose a Bishop for slaveholding than it can create a new Church.

Your committee deeply regret that these "conservative" sentiments did not occur to the majority in the late General Conference, and that the apologists of that body, since its session, have given them no place in their ecclesiastical creed, but on the contrary have given fearful evidence that the proceedings in the case of Bishop Andrew are but the incipiency of a course, which, when finished, will leave not a solitary slaveholder in the communion which shall be unfortunately under their control. The foregoing sentiments and opinions embody the general views expressed most unequivocally throughout the conference district since the late General Conference, by a large body of the membership, both in primary meetings and quarterly conferences.

The Committee, therefore, offer to the calm consideration and mature

action of the Alabama Annual Conference, the following series of resolutions:—

1. Resolved, That this conference deeply deplores the action of the late General Conference of the Methodist Episcopal Church in the case of our venerable superintendent, Bishop Andrew, believing it to be unconstitutional, being as totally destitute of warrant from the Discipline, as from the Word of God.

2. That the almost unanimous agreement of Northern Methodists with the majority, and Southern Methodists with the minority, of the late General Conference, shows the wisdom of that body in suggesting a duality of jurisdiction to meet the present emergency.

3. That this conference agrees to the proposition for the alteration of the sixth restrictive rule of the Discipline.

4. That this conference approves of the projected convention at Louisville in May next.

5. That this conference most respectfully invites all the Bishops to attend the proposed convention at Louisville.

6. That this conference is decided in its attachment to Methodism as it exists in the Book of Discipline, and hopes that the Louisville convention will not make the slightest alteration, except so far as may be absolutely necessary for the formation of a separate jurisdiction.

7. That every preacher of this conference shall take up a collection in his station or circuit, as soon as practicable, to defray the expenses of the delegates to the convention; and the proceeds of such collection shall be immediately paid over to the nearest delegate or presiding elder, and the excess or deficit of the collection for the said expenses shall be reported to the next conference, which shall take action on the same.

8. That the Friday immediately preceding the session of the convention shall be observed in all our circuits and stations as a day of fasting and prayer for the blessings of God upon its deliberations.

9. That whilst this conference fully appreciates the commendable motives which induced the Holston Conference to suggest another expedient to compromise the differences existing between the northern and southern divisions of the church, it nevertheless cannot concur in the proposition of that conference concerning that matter.

10. That this conference fully recognises the right of our excellent superintendent, Bishop Soule, to invite Bishop Andrew to share with him the responsibilities of the Episcopal office; and while the conference regrets the absence of the former, it rejoices in being favored with the efficient services of the latter. It respectfully tenders these "true yoke-fellows" in the superintendency the fullest approbation, the most fervent prayers, and the most cordial sympathies.

THOS. O. SUMMERS, W. MURRAH,
A. H. MITCHELL, J. BORING,
E. V. LEVERT, GEO. SHAEFFER,
J. HAMILTON, C. McLEOD.
E. HEARN,

5. *The following extracts from the journal of the meeting of delegates of the Southern Conferences, and the resolves and documents contained therein, printed in the History of the Methodist Episcopal Church South, pp.* 169 *to* 233.

The convention of delegates from the Southern and Southwestern Conferences of the Methodist Episcopal Church, viz: Kentucky, Missouri, Holston, Tennessee, North Carolina, Memphis, Arkansas, Virginia, Mississippi, Texas, Alabama, Georgia, South Carolina, Florida, and Indian Mission, elected on the basis of the Plan of Separation adopted by the General Conference on the 8th June, 1844, assembled in the city of Louisville, Kentucky, on the 1st day of May, A. D. 1845.

On motion of Augustus B. Longstreet and William Capers, it was

Resolved, That the Bishops of the Methodist Episcopal Church, now in attendance, be requested to preside over the meeting, under such arrangements as they may make from day to day among themselves.

This resolution was adopted unanimously by a standing vote.

Bishop Soule being present, informed the convention that he would express his views on the subject of this resolution, both on behalf of himself and his colleague, Bishop Andrew, (who was also present,) on to-morrow morning.

Friday morning, May 2. Bishop Soule then rose and addressed the convention as follows:

"I rise on the present occasion to offer a few remarks to this convention of ministers, under the influence of feelings more solemn and impressive than I recollect ever to have experienced before. The occasion is certainly one of no ordinary interest and solemnity. I am deeply impressed with a conviction of the important results of your deliberations and decisions in relation to that numerous body of Christians and Christian ministers you here represent, and to the country at large; and knowing as I do the relative condition of the vast community where your acts must be extensively felt, I cannot but feel a deep interest in the business of the convention, both as it respects yourselves and the millions who must be affected by your decisions. With such views and feelings, you will indulge me in an expression of confident hope that all your business will be conducted with the greatest deliberation, and with that purity of heart and moderation of temper suitable to yourselves as a body of Christian ministers, and to the important concerns which have called you together in this city.

"The opinion which I formed at the close of the late General Conference, that the proceedings of that body would result in a division of the church, was not induced by the impulse of excitement; but was predicated of principles and facts, after the most deliberate and mature consideration. That opinion I have freely expressed. And however deeply I have regretted such a result, believing it to be inevitable, my efforts have been made, not to prevent it, but rather that it might be attended with the least injury and the greatest amount of good which

the case would admit. I was not alone in this opinion. A number of aged and influential ministers entertained the same views; and, indeed, it is not easy to conceive how any one, intimately acquainted with the facts in the case, and the relative position of the North and South, could arrive at any other conclusion. Nothing has transpired since the close of the General Conference to change the opinion I then formed, but subsequent events have rather confirmed it. In view of the certainty of the issue, and at the same time ardently desirous that the two great divisions of the church might be in peace and harmony within their own respective bounds, and cultivate the spirit of Christian fellowship, brotherly kindness, and charity for each other, I cannot but consider it an auspicious event that the sixteen annual conferences represented in this convention have acted with such extraordinary unanimity in the measures they have taken in the premises. In the Southern Conferences which I have attended, I do not recollect that there has been a dissenting voice with respect to the necessity of a separate organization; and although their official acts, in deciding the important question, have been marked with that clearness and decision which should afford satisfactory evidence that they have acted under a solemn conviction of duty to Christ and to the people of their charge, they have been equally distinguished by moderation and candor. And, as far as I have been informed, all the other conferences have pursued a similar course.

"It is ardently to be desired that the same unanimity may prevail in the counsels of this convention as distinguished in such a remarkable manner the views, and deliberations, and decisions of your constituents. When it is recollected that it is not only for yourselves, and the present ministry and membership of the conferences you represent, that you are assembled on this occasion, but that millions of the present race and generations yet unborn may be affected in their most essential interests by the results of your deliberations, it will occur to you how important it is that you should 'do all things as in the immediate presence of God.' Let all your acts, dear brethren, be accompanied with much prayer for that wisdom which is from above.

"While you are thus impressed with the importance and solemnity of the subject which has occasioned the convention, and of the high responsibility under which you act, I am confident you will cultivate the spirit of Christian moderation and forbearance, and that in all your acts you will keep strictly within the limits and provisions of the 'Plan of Separation,' adopted by the General Conference with great unanimity and apparent Christian kindness. I can have no doubt of the firm adherence of the ministers and members of the church, in the conferences you represent, to the doctrines, rules, order of government, and forms of worship contained in our excellent Book of Discipline. For myself, I stand upon the basis of Methodism as contained in this book, and from it I intend never to be removed. I cannot be insensible to the expression of your confidence in the resolution you have unanimously adopted, requesting me to preside over the convention in conjunction with my colleagues. And after having weighed the subject with care-

ful deliberation, I have resolved to accept your invitation, and discharge the duties of the important trust to the best of my ability. My excellent colleague, Bishop Andrew, is of the same mind, and will cordially participate in the duties of the chair.

"I am requested to state to the convention, that our worthy and excellent colleague, Bishop Morris, believes it to be his duty to decline a participation in the presidential duties. He assigns such reasons for so doing as are, in the judgment of his colleagues, perfectly satisfactory; and it is presumed they would be considered in the same light by the convention. In conclusion, I trust that all things will be done in that spirit which will be approved of God; and devoutly pray that your acts may result in the advancement of the Redeemer's kingdom, and the salvation of the souls of men."

Bishop Soule then took the chair.

On motion of J. Early and W. A. Smith, it was

Resolved, That a committee of two members, from each Annual Conference represented in this convention, be appointed, whose duty it shall be to take into consideration the propriety and necessity of a Southern organization, according to the Plan of Separation adopted by the late General Conference, together with the acts of the several Annual Conferences on this subject, and report the best method of securing the objects contemplated in the appointment of this convention.

Monday morning, May 5. On motion of Dr. William Winans, it was

Resolved, That the Committee on Organization be instructed to inquire whether or not any thing has transpired during the past year to render it possible to maintain the unity of the Methodist Episcopal Church, under the same General Conference jurisdiction, without the ruin of Southern Methodism.

On motion of Benjamin M. Drake, it was

Resolved, That the Committee on Organization be, and are hereby, instructed to inquire into the propriety of reporting resolutions in case a division should take place, leaving the way open for re-union, on terms which shall not compromise the interests of the southern, and which shall meet, as far as may be, the views of the northern portion of the Church.

Dr. William A. Smith and Dr. Lovick Pierce presented the following resolution, which, at their request, was laid on the table, to be taken up on to-morrow morning.

Resolved, by the delegates of the several Annual Conferences in the Southern and Southwestern States, in General Convention assembled, That we cannot sanction the action of the late General Conference of the Methodist Episcopal Church, on the subject of slavery, by remaining under the ecclesiastical jurisdiction of that body, without deep and lasting injury to the interests of the Church and the country; we, therefore, hereby instruct the Committee on Organization that if, upon careful examination of the whole subject, they find that there is no reasonable ground to hope that the northern majority will recede

from their position, and give some safe guarantee for the future security of our civil and ecclesiastical rights, they report in favor of a separation from the ecclesiastical jurisdiction of the said General Conference.

Wednesday morning, May 14. The resolution of Dr. Smith was then taken up, and, after a few remarks in its support by Joseph Boyle and Jesse Green, of the Missouri Conference, and Littleton Fowler, of the Texas Conference, was adopted, with one dissenting vote.

Saturday morning, May 17. On motion of John Early, of the Virginia Conference, the report of the Committee on Organization was taken up, and the convention resolved to act on it by yeas and nays—sick and absent members being permitted to enter their votes at some subsequent period during the session.

The first resolution was read, and, on motion of John Early, was adopted, as follows:

Be it resolved by the delegates of the several annual conferences of the Methodist Episcopal Church in the slaveholding States, in General Convention assembled, That it is right, expedient, and necessary, to erect the annual conferences represented in this convention into a distinct ecclesiastical connexion, separate from the jurisdiction of the General Conference of the Methodist Episcopal Church as at present constituted; and accordingly, we, the delegates of said annual conferences, acting under the provisional Plan of Separation adopted by the General Conference of 1844, do solemnly declare the jurisdiction hitherto exercised over said annual conferences, by the General Conference of the Methodist Episcopal Church, entirely dissolved; and that said annual conferences shall be, and they hereby are, constituted a separate ecclesiastical connexion, under the provisional Plan of Separation aforesaid, and based upon the Discipline of the Methodist Episcopal Church, comprehending the doctrines and entire moral, ecclesiastical, and economical rules and regulations of said Discipline, except only in so far as verbal alterations may be necessary to a distinct organization, and to be known by the style and title of the Methodist Episcopal Church South. Yeas 94; nays 3.

The second resolution was then read, and, on motion of Thomas Crowder, of the Virginia Conference, adopted, as follows:

Resolved, That we cannot abandon or compromise the principles of action upon which we proceed to a separate organization in the South; nevertheless, cherishing a sincere desire to maintain Christian union and fraternal intercourse with the Church North, we shall always be ready, kindly and respectfully, to entertain, and duly and carefully consider, any proposition or plan, having for its object the union of the two great bodies in the North and South, whether such proposed union be jurisdictional or connexional. Yeas 97; nays none.

The Committee on Organization then presented an additional report, which was amended and adopted, in the following form:

1. Resolved, That this convention request the Bishops presiding at the ensuing session of the border conferences of the Methodist Episcopal Church South, to incorporate into the aforesaid conferences any

societies or stations adjoining the line of division, provided such societies or stations, by a majority of the members, according to the provisions of the Plan of Separation adopted by the late General Conference, request such an arrangement.

2. Resolved, That answer 2d of 3d section, chapter 1st, of the Book of Discipline, be so altered and amended as to read as follows:

The General Conference shall meet on the first day of May, in the year of our Lord 1846, in the town of Petersburg, Virginia, and thenceforward in the month of April or May, once in four years successively; and in such place and on such day as shall be fixed on by the preceding General Conference, &c.

3. Resolved, further, That the first answer in the same chapter be altered by striking out the word "twenty-one," and inserting in its place fourteen. Yeas 97; nays none.

Monday morning, May 19.—The Committee on Organization then made an additional report, as follows:

The Committee on Organization beg respectfully to report the following resolutions for adoption by the convention:

1. Resolved, That Bishops Soule and Andrew be, and they are hereby, respectfully and cordially requested by this convention to unite with and become regular and constitutional Bishops of the Methodist Episcopal Church South, upon the basis of the Plan of Separation adopted by the late General Conference.

2. Resolved, That should any portion of an annual conference on the line of separation, not represented in this convention, adhere to the Methodist Episcopal Church South, according to the Plan of Separation adopted at the late General Conference, and elect delegates to the General Conference of the Church in 1846, upon the basis of representation adopted by this convention, they shall be accredited as members of the General Conference.

3. Resolved, That a committee of three be appointed, whose duty it shall be to prepare and report to the General Conference of 1846 a revised copy of the present Discipline, with such changes as are necessary to conform it to the organization of the Methodist Episcopal Church South. Respectfully submitted.

JOHN EARLY,
Chairman.

The first resolution was then adopted. Yeas 95; nays none; absent, 5.

The following documents were received from Bishops Soule and Andrew, in answer to the invitation contained in this resolution:

DEAR BRETHREN: I feel myself bound, in good faith, to carry out the official plan of Episcopal Visitations as settled by the Bishops in New York, and published in the official papers of the Church, until the session of the first General Conference of the Methodist Episcopal Church South; from which time it would be necessary that the Plan

should be so changed as to be accommodated to the jurisdiction of the two distinct General Conferences. That when such Southern General Conference shall be held, I shall feel myself fully authorized by the Plan of Separation, adopted by the General Conference of 1844, to unite myself with the Methodist Episcopal Church South, and if received by the General Conference of said Church, to exercise the functions of the Episcopal office within the jurisdiction of said General Conference.

JOSHUA SOULE.

Louisville, Ky., May 19, 1845.

DEAR BRETHREN: I decidedly approve the course which the convention has taken in establishing the Methodist Episcopal Church South, believing, as I do most sincerely, that it will tend, under God's blessing, to the wider spread and more efficient propagation of the gospel of the grace of God. I accept the invitation of the convention to act as one of the superintendents of the Methodist Episcopal Church South, and pledge myself, in humble dependence upon Divine grace, to use my best efforts to promote the cause of God in the interesting and extensive field of labor assigned me.

May the blessing of God be upon us mutually, in our laborious field of action; and, finally, may we all, with our several charges, be gathered to the home of God and the good in Heaven! Affectionately your brother and fellow-laborer,

JAMES O. ANDREW.

Louisville, May, 1845.

Monday afternoon, May 19.—The committee, appointed to prepare a pastoral address, submitted the following, which was adopted:

To the ministers of the several annual conferences of the Methodist Episcopal Church South, and to all the brethren of their pastoral oversight, the convention of said annual conferences address this letter, with Christian salutation.

We gratefully regard it matter of congratulation, beloved brethren, for which our thanks should be offered at the Throne of Grace, that we have been enabled to conduct the business confided to us by you with great harmony, and except, perhaps, some inconsiderable shades of difference on points of minor import, with unexampled unanimity. Our agreement on all questions of importance has probably been as perfect as the weakness of human knowledge might allow or reason should require.

For full information of all that we have done, we refer you to the journal of our proceedings, and the documents which accompany it; particularly the reports of the committees on organization and missions. This latter interest we have made the subject of a special letter, wishing to bring it immediately to the notice of all our churches and congregations, (to whom we have requested the letter might be read,) to engage their instant liberality.

We made it a point of early inquiry, in the course of our proceedings, to ascertain with what unanimity the Annual Conferences represented by us, and the entire body of the ministry and membership within their general bounds, were known to have concurred in sustaining the declaration of the southern delegates in the late General Conference, and in approving of the plan provided by that conference for our being constituted a distinct ecclesiastical connexion, separate from the North. The Committee on Organization, being composed of two members from each of the Annual Conferences, was furnished with ample means of obtaining satisfactory information. The members of the committee held meetings with their several delegations apart, and on a comparison of their several reports carefully made, it was found, that both as to the members of the Annual Conferences, and the local ministry and membership of our entire territory, the declaration had been sustained, and a separate organization called for, by as great majority as ninety-five to five. Nor did it appear that even five in a hundred were disposed to array themselves against their brethren, whose interests were identical with their own; but that part were northern brethren sojourning in our borders, and part were dwelling in sections of the country where the questions involved did not materially concern their Christian privileges, or those of the slaves among them. So great appears to have been the unanimity of opinion prevailing, both among the pastors and the people, as to the urgent necessity of the great measure which we were deputed to effect, by organizing on the basis of the Discipline, and the plan provided by the late General Conference, the Methodist Episcopal Church South.

That on so grave a question, concerning interests so sacred, and affecting so numerous a people, spread over the vast extent of the country from Missouri to the Atlantic ocean, and from Virginia to Texas, there should be found some who dissent, is what we could not but expect. But that the number dissenting should have been so small, compared to the number of those who have required us to act, is, at least to our minds, conclusive proof of the absolute necessity of this action, as affording the only means left in our power to preserve the church in the more southern States from hopeless ruin. Indeed, the action of the late General Conference, without the intervention of the declaration of the southern delegates, and the provisional plan for a separate southern connexion, must have immediately broken up all our missions to the people of color, and subjected their classes in most of the southern circuits to ruinous deprivations. Of this, the evidence has been unquestionable. And it must appear to you, brethren, that for whatever reason so great an evil was threatened for a cause which the southern delegates did nothing to produce, but resisted in the General Conference, that evil could not fail of being inflicted with redoubled violence, and to a still greater extent, if we, having a platform legally furnished for a separate organization, should hesitate a moment to avail ourselves of it. It would be, in effect, to put ourselves, in relation to the laws and policy of the southern people, in the same position which

was so injuriously offensive in our northern brethren, while it could not be plead in extenuation of the fault that we were northern men, and ignorant of the state of affairs at the South. Into such a position we could not possibly put ourselves, nor can we think that reasonable men would require us to do so.

We avow, brethren, and we do it with the greatest solemnity, that while we have thus been laid under the imperative force of an absolute necessity to organize the southern and southwestern conferences into an independent ecclesiastical connexion, whose jurisdiction shall be exclusive of all interference on the part of the North, we do not withdraw from the true Christian and catholic pale of the Methodist Episcopal Church. And that whilst we have complained, with grievous cause, of the power of the majority of the General Conference, as that power has been construed and exercised, we have not complained, and have no complaint, against the church in itself. The General Conference, or a majority thereof, is not the church. Nor is it possible that that should be the Methodist Episcopal Church, which withdraws the ministry of the gospel from the poor, and turns her aside from her calling of God "to spread Scripture holiness over these lands," in order to fulfil some other errand, no matter what. We could not be Methodists at all, as we have been taught what Methodism is, if, with our knowledge of its nature, its aim, its constitution, its discipline, and of the ruin inevitable to the work of the ministry in most of the southern States, if not in all of them, we should still cleave to a northern jurisdiction; we nevertheless could not be persuaded to yield the gospel for a jurisdictional affinity with brethren, who, we believe in our hearts, cannot govern us without great injury to the cause of Christ in most parts of our work. If we err, it is the spirit of Methodism which prompts us to the error. We "call God for a record," that, as far as we know our hearts, we intend nothing, we desire nothing, we do nothing, having any other object or aim but that the gospel may be preached, without let or hindrance, in all parts of our country, and especially to the poor. There is nothing belonging of right to the church—her doctrines, her discipline, her economy, her usages, her efficiency—which we do not cherish in our inmost hearts. It is not the church, not anything proper to the church, in her character as Christ's body, and consecrated to the promotion of his cause in the earth, which we would disown, or depart from, or oppose; but only such a position in the church as some of her sons would force us into, antagonistic to her principles, her policy, and her calling of God. Nor yet can we be charged with any factious or schismatic opposition to the General Conference, for we have done nothing, and mean to do nothing, not authorized by express enactment of that body, in view of the very emergency which compels our action.

It had been too much to expect, considering the weakness of men, that, suddenly roused to resistance as the southern churches were, by the unlooked for action in the cases of Bishop Andrew and brother Harding, there should not, in some instances, have escaped expressions

of resentment and unkindness. Or that, put to the defence of the majority of the General Conference, where the evil complained of was so serious, the advocates of that majority should not sometimes have expressed themselves in terms which seemed harsh and unjust. We deeply deplore it, and pray that, for the time to come, such exhibitions of a mortifying frailty may give place to Christian moderation. We invoke the spirit of peace and holiness. That brother shall be esteemed as deserving best who shall do most for the promotion of peace. Surely this is a time of all others, in our day, when we should seek and pursue peace. A continuance of strife between North and South must prove prejudicial on both sides. The separation is made—formally, legally made—and let peace ensue. In Christ's name let there be peace. Whatever is needful to be done, or worth the doing, may be done in peace. We especially exhort brethren of the border conferences and societies to forbear each other in love, and labor after peace. Let every one abide by the law of the General Conference with respect to our bounds, and choose for himself with Christian temper, and permit others to choose without molestation, between North and South. Our chief care should be to maintain "the unity of the Spirit in the bond of peace." Methodism preserved in what makes it one the world over—the purity of its doctrines, the efficiency of its discipline, its unworldliness, its zeal for God, its self-devotion—is of infinitely greater value than a question of boundary or General Conference jurisdiction merely.

And now, brethren, beseeching you to receive the word of exhortation which we have herein briefly addressed to you, and humbly invoking the blessings of God upon you, according to the riches of his grace in Christ our Lord, praying for you, as we always do, that you may abound in every good work, and confiding in your prayers for us, that we may be found one with you in faith and charity at the appearing of Jesus Christ, we take leave of you, and return from the work which we have now fulfilled, to renew our labors with you and among you in the Lord. JAMES O. ANDREW, *President.*

THOMAS O. SUMMERS, *Secretary.*

Louisville, Kentucky, May 16, 1845.

On motion of Thomas N. Ralston, it was

Resolved, That, in the judgment of this convention, those societies and stations on the border, within the limits of conferences represented in this convention, be constructively understood as adhering to the South, unless they see proper to take action on the subject; and in all such cases we consider the pastor of the society or station as the proper person to preside in the meeting.

On motion of William A. Smith, it was

Resolved, That the pastoral address be printed, and that such border charges or societies as may feel themselves called upon to make an election between the northern and southern division of the church, be,

and they are hereby, respectfully requested to have the pastoral address of this convention read before the society, or the several societies, of the charge, before voting on the subject.

Report of the Committee on Organization.

The committee, appointed to inquire into the propriety and necessity of a separate organization of the annual conferences of the Methodist Episcopal Church, in the slaveholding States, for the purpose of a separate General Conference connexion and jurisdiction within the limits of said States and conferences, having had the entire subject under careful and patient consideration, together with the numerous petitions, instructions, resolutions, and propositions for adjustment and compromise, referred to them by the convention, offer the following as their

Report.

In view of the extent to which the great questions in controversy, between the North and the South of the Methodist Episcopal Church, have been discussed, and by consequence must be understood by the parties more immediately interested, it has not been deemed necessary by the committee to enter into any formal or elaborate examination of the general subject, beyond a plain and comprehensive statement of the facts and principles involved, which may place it in the power of all concerned to do justice to the convictions and motives of the southern portion of the church, in resisting the action of the late General Conference on the subject of slavery, and its unconstitutional assumption of right and power in other respects; and also presenting, in a form as brief and lucid as possible, some of the principal grounds of action, had in view by the South, in favoring the provisional Plan of Separation adopted by the General Conference at its last session.

On the subject of the legitimate right, and the full and proper authority, of the convention to institute, determine, and finally act upon, the inquiry referred to the committee to deliberate and report upon, the committee entertain no doubt whatever. Apart from every other consideration which might be brought to bear upon the question, the General Conference of 1844, in the plan of jurisdictional separation adopted by that body, gave full and express authority to "the annual conferences in the slaveholding States" to judge of the propriety, and decide upon the necessity, of organizing a "separate ecclesiastical connexion" in the South. And not only did the General Conference invest this right in "the annual conferences in the slaveholding States," without limitation or reserve, as to the extent of the investment, and exclusively with regard to every other division of the church, and all other branches or powers of the government, but left the method of official determination and the mode of action, in the exercise or assertion of the right, to the free and untrammelled discretion of the conferences interested. These conferences, thus accredited by the General Conference to judge and act for themselves, confided the right and trust of

decision and action, in the premises, to delegates regularly chosen by these bodies respectively, upon a uniform principle and fixed ratio of representation, previously agreed upon by each, in constitutional session, and directed them to meet in general convention, in the city of Louisville, May, 1845, for this and other purposes authorized by the General Conference, at the same time and in the same way. All the right and power, therefore, of the General Conference, in any way connected with the important decision in question, were duly and formally transferred to "the annual conferences in the slaveholding States," and exclusively invested in them. And as this investment was obviously for the purpose that such right and power might be exercised by them, in any mode they might prefer not inconsistent with the terms and conditions of the investment, the delegates thus chosen, one hundred in number, and representing sixteen annual conferences, under commission of the General Conference, here and now assembled in convention, have not only all the right and power of the General Conference, as transferred to "the annual conferences in the slaveholding States," but in addition, all the right and power of necessity inherent in these bodies, as constituent parties, giving birth and power to the General Conference itself, as the common federal council of the church. It follows, hence, that for all the purposes specified and understood in this preliminary view of the subject, the convention possesses all the right and power both of the General Conference and the sixteen "annual conferences in the slaveholding States," jointly and severally considered. The ecclesiastical and conventional right, therefore, of this body to act in the premises, and act conclusively, irrespective of the whole church, and all its powers of government beside, is clear and undoubted. As the moral right, however, to act as proposed in the General Conference plan of jurisdictional separation, rests upon entirely different grounds, and will perhaps be considered as furnishing the only allowable warrant of action, notwithstanding constitutional right, it may be necessary at least to glance at the grave moral reasons creating the necessity, the high moral compulsions, by which the southern conferences and church have been impelled to the course of action which it is the intention of this report to explain and vindicate, as not only right and reasonable, but indispensable to the character and welfare of Southern Methodism.

The preceding statements and reasoning present no new principle or form of action in the history of the church. Numerous instances might be cited, in the constitutional history of church polity, in which high moral necessity, in the absence of any recognised conventional right, has furnished the only and yet sufficient warrant for ecclesiastical movements and arrangements, precisely similar in character with that contemplated in the plan of a separate Southern Connexion of the Methodist Episcopal Church adopted by the late General Conference. Wesleyan Methodism, in all its phases and aspects, is a most pertinent illustration of the truth we assume, and the fitness and force of the example must go far to preclude the necessity of any other proof. It was on

the specific basis of such necessity, without conventional right, that the great Wesleyan Connexion arose in England. It was upon the same basis, as avowed by Wesley, that the American Connexion became separate and independent; and this Connexion again avows the same principle of action, in the separation and establishment of a Methodist Episcopal Church in Canada, whose organization took place by permission and direction of the same authority under which this convention is now acting for a similar purpose.

Should it appear in the premises of the action proposed, that a high, moral, and religious duty is devolved upon the ministry and membership of the Methodist Episcopal Church in the South—devolved upon us by the Great Head of the Church, and the providential appointments of our social condition, which we cannot neglect without infidelity to a high moral trust, but which we cannot fulfil in connexional union with the northern portion of the church, under the same General Conference jurisdiction, owing to causes connected with the civil institutions of the country, and beyond the control of the church—then a strong moral necessity is laid upon us, which assumes the commanding character of a positive duty, under sanction of Divine right, to dissolve the ties and bonds of a single General Conference jurisdiction, and in its place substitute one in the South, which will not obstruct us in the performance of duty, or prevent us from accomplishing the great objects of the Christian ministry and church organization. From a careful survey of the entire field of facts and their relations—the whole range of cause and effect, as connected with the subject matter of this report, it is confidently believed that the great warrant of moral necessity, not less than unquestionable ecclesiastical right, fully justifies this convention in the position they are about to take, as a separate organic division of the Methodist Episcopal Church, by authority of its chief synod, "the delegates of all the several Annual Conferences in General Conference assembled." One of the two main issues, which have decided the action of the Southern Conferences, relates, as all know, to the assumed right of the church to control the question of slavery, by means of the ordinary and fluctuating provisions of church legislation, without reference to the superior control of State policy and civil law. From all the evidence accessible in the case, the great masses of the ministry and membership of the Methodist Episcopal Church, North and South, present an irreconcilable opposition of conviction and feeling on the subject of slavery, so far as relates to the rights of the church to interfere with the question; the one claiming unlimited right of interference to the full extent the church may, at any time or from any cause, be concerned, and the other resisting alike the assumption or exercise of any such right, because, in nearly all the slaveholding States, such a course of action must bring the church in direct conflict with the civil authority, to which the church has pledged subjection and support in the most solemn and explicit forms, and from the obligations of which she cannot retreat without dishonoring her own laws, and the neglect and violation of

some of the plain and most imperative requirements of Christianity. Under such circumstances of disagreement, in such a state of adverse conviction and feeling on the part of the North and South of the church, it is believed that the two great sections of the church, thus situated, in relation to each other, by causes beyond the control of either party, cannot remain together and successfully prosecute the high and common aims of the Christian ministry and church organization, under the same General Conference jurisdiction. The manifest want of uniformity of opinion and harmony of co-operation, must always lead, as heretofore, to struggles and results directly inconsistent with the original intention of the church, in establishing a common jurisdiction, to control all its general interests. And should it appear that, by a division and future duality of such jurisdiction, as authorized by the late General Conference, the original purposes of the church can better be accomplished, or rather, that they can be accomplished in no other way, how can the true and proper unity of the church be maintained except by yielding to the necessity, and having a separate General Conference jurisdiction for each division? By the southern portion of the church generally, slavery is regarded as strictly a civil institution, exclusively in custody of the civil power, and as a regulation of State beyond the reach of church interference or control, except as civil law and right may be infringed by ecclesiastical assumption. By the northern portion of the church, individuals are held responsible for the alleged injustice and evil of relations and rights, created and protected by the organic and municipal laws of the government and country, and which relations and rights, in more than two-thirds of the slaveholding States, are not under individual control in any sense or to any extent.

Both portions of the church are presumed to act from principle and conviction, and cannot, therefore, recede; and how, under such circumstances, is it possible to prevent the most fearful disunion, with all the attendant evils of contention and strife, except by allowing each section a separate and independent jurisdiction, the same in character and purpose with the one to which both have hitherto been subject? What fact, truth, or principle, not merely of human origin, and therefore of doubtful authority, can be urged, as interposing any reasonable obstacle to a change of jurisdiction, merely modal in character, and simply designed to adapt a single principle of church government, not pretended to be of Divine obligation or Scripture origin, to the character and features of the civil government of the country? Nothing essential to church organization; nothing essentially distinctive of Methodism—even American Methodism—is proposed to be disturbed, or even touched, by the arrangement. It is a simple division of general jurisdiction for strong moral reasons, arising out of the civil relations and position of the parties, intending to accomplish for both what it is demonstrated by experiment cannot be accomplished by one common jurisdiction, as now constituted, and should, therefore, under the stress of such moral necessity, be attempted in some other way.

The question of slavery, more or less intimately interwoven with the interests and destiny of nine millions of human beings in the United States, is certainly of sufficient importance, coming up, as it has, in the recent history of the Methodist Episcopal Church, and as it does in the deliberations of this Convention, to authorize any merely modal or even organic changes in the government of the church, should it appear obvious that the original and avowed purposes of the church will be more effectively secured and promoted by the change proposed, than by continuing the present or former system. The evidence before the committee establishes the fact, in the clearest manner possible, that, throughout the Southern conferences, the ministry and membership of the church, amounting to nearly 500,000, in the proportion of about ninety-five in the hundred, deem a division of jurisdiction indispensable to the welfare of the church in the Southern and Southwestern Conferences of the slaveholding States; and this fact alone must go far to establish the right, while it demonstrates the necessity, of the separate jurisdiction contemplated in the plan of General Conference, and adopted by that body in view of such necessity as likely to exist. The interests of State, civil law, and public opinion, in the South, imperiously require that the southern portion of the church shall have no part in the discussion and agitation of this subject in the chief councils of the church. In this opinion, nearly universal in the South, we concur.

Christ and his apostles—Christianity and its inspired and early teachers—found slavery in its most offensive and aggravated forms, as a civil institution, diffused and existing throughout nearly the entire field of their administrations and influence; and yet, in the New Testament, and earlier records of the church, we have no legislation, no interference, no denunciation with regard to it; not even remonstrance against it. They found it wrought up and vitally intermingled with the whole machinery of civil government and order of society; so implicated with "the powers that be," that infinite wisdom, and the early pastoral guides of the church, saw just reason why the church should not interfere, beyond a plain and urgent enforcement of the various duties growing out of the peculiar relation of master and slave, leaving the relation itself, as a civil arrangement, untouched and unaffected, except so far as it seems obviously to have been the Divine purpose to remove every form and degree of wrong and evil connected with the institutions of human government, by a faithful inculcation of the doctrines and duties of Christianity, without meddling in any way with the civil polity of the countries into which it was introduced. A course precisely similar to this, the example of which should have been more attractive, was pursued by the great founder of Methodism, in all slaveholding countries in which he established societies. Mr. Wesley never deemed it proper to have any rule, law, or regulation on the subject of slavery, either in the United States, the West Indies, or elsewhere. The effects of the early and unfortunate attempts of the Methodist Church to meddle and interfere in the legislation and practice of government and discipline, with the institution of slavery in the United

States, are too well known to require comment. Among the more immediate results of this short-sighted, disastrous imprudence, especially from 1780 to 1804, may be mentioned the watchful jealousy of civil government, and the loss of public confidence throughout a very large and influential portion of the whole southern community. These, and similar developments, led the church, by the most careful and considerate steps, to the adoption, gradually, of a medium compromise course of legislation on the subject; until the law of slavery, as it now exists in the letter of Discipline, became, by the last material act of legislation in 1816, the great compromise bond of union between the North and the South on the subject of slavery. The whole law of the church, all there is in the statute book to govern North and South on this subject, is the following:

First. The general rule, which simply prohibits "the buying or selling of men, women, or children, with an intention to enslave them."

Second. "No slaveholder shall be eligible to any official station in our church hereafter, where the laws of the State in which he lives admit of emancipation, and permit the liberated slave to enjoy freedom. When any travelling preacher becomes an owner of a slave or slaves, by any means, he shall forfeit his ministerial character in our church, unless he execute, if it be practicable, a legal emancipation of such slaves, conformably to the laws of the State in which he lives."

Here is the law, the whole, the only law of the church, containing, first, a prohibition, and, second, a grant. The prohibition is, that no member or minister of the church is allowed to purchase or sell a human being, who is to be enslaved, or reduced to a state of slavery, by such purchase or sale. And further, that no minister, in any of the grades of ministerial office, or other person having official standing in the church, can, if he be the owner of a slave, be allowed to sustain such official relation to the church, unless he shall legally provide for the emancipation of such slave or slaves, if the laws of the State in which he lives will admit of legal emancipation, and permit the liberated slave to enjoy freedom. Such is the plain prohibition of law, binding upon all. The grant of the law, however, is equally plain and unquestionable. It is, that persons may purchase or sell men, women, or children, provided such purchase or sale does not involve the fact or intention of enslaving them, or of reducing the subjects of such purchase or sale to a state of slavery. The intention of the law no doubt is, that this may be done from motives of humanity, and not by any means for the purpose of gain. But further, the law distinctly provides that every minister, in whatever grade of office, and every person having official standing of any kind, in the Methodist Episcopal Church, being the owner or owners of slave property, shall be protected against any forfeiture of right, on this account, where the laws of the State do not admit of legal emancipation, and allow the liberated slave to enjoy freedom in the State in which he is emancipated. Here is the plain grant of law to which we allude. From the first agitation of the subject of slavery in the church, the northern portion

of it has been disposed to insist upon further prohibitory enactments. The South, meanwhile, has always shown itself ready to go as far, by way of prohibition, as the law in question implies, but has uniformly resisted any attempt to impair southern rights under protection of the grant of law to which we have asked attention. Under such circumstances of disagreement and difficulty, the conventional and legislative adjustment of the question, as found in the General Rule, but especially the tenth section of the Discipline, was brought about, and has always been regarded in the South as a great compromise arrangement, without strict adherence to which the North and the South could not remain together under the same general jurisdiction.

That we have not mistaken the character of the law, or misconstrued the intention and purposes of its enactment at different times, we think entirely demonstrable from the whole history both of the legislation of the church and the Judicial and Executive Administration of the Government. The full force and bearing of the law, however, were more distinctly brought in view, and authoritatively asserted, by the General Conference of 1840, after the most careful examination of the whole subject, and the judicial determination of that body, connected with the language of the Discipline just quoted, gives in still clearer light the true and only law of the church on the subject of slavery. After deciding various other principles and positions incidental to the main question, the decision is summed up in the following words: "While the general rule (or law) on the subject of slavery relating to those States whose laws admit of emancipation, and permit the liberated slave to enjoy freedom, should be firmly and constantly enforced, the exception to the general rule (or law,) applying to those States where emancipation as defined above is not practicable, should be recognised and protected with equal firmness and impartiality; therefore—

Resolved, by the several Annual Conferences in General Conference assembled, That under the provisional exception of the general rule (or law) of the church on the subject of slavery, the simple holding of slaves, or mere ownership of slave property, in States or Territories where the laws do not admit of emancipation, and permit the liberated slave to enjoy freedom, constitutes no legal barrier to the election or ordination of ministers to the various grades of office known in the ministry of the Methodist Episcopal Church, and cannot, therefore, be considered as operating any forfeiture of right in view of such election and ordination." This decision of the General Conference was not objected to or dissented from by a single member of that body. It was the unanimous voice of the great representative and judicial council of the church, then acting in the character of a high court of appeals for the decision of an important legal question. It will be perceived how strikingly the language of this decision accords with both the features of the law of slavery, which we have thought important to notice, the prohibition and the grant of law in the case; what may not be done as the general rule, and at the same time what may be done, under the provisional exception to the general law, without forfeiture of right of

any kind. It is also worthy of particular notice, that, besides the plain assurance of the original law, that where emancipation is not legally practicable, and the emancipated slave allowed to enjoy freedom, or where it is practicable to emancipate, but the emancipated slave cannot enjoy freedom, emancipation is not required of any owner of slaves in the Methodist Episcopal Church, from the lowest officer up to the Bishop, but the rights of all thus circumstanced are protected and secured, notwitstanding their connexion with slavery. Besides this, the full and elaborate decision of the General Conference, as a grave and formal adjudication had upon all the issues involved in the question, published to all who were in, or might be disposed to enter, the church, that the law of slavery applied to States where emancipation is impracticable, and the freed slave not allowed to enjoy freedom, this clear and unambiguous decision by the highest authority of the church leaves the owner of slaves upon the ground, upon a basis, of the most perfect equality with other ministers of the church, having no connexion with slavery. Such, then, is the law; such its construction; such the official and solemn pledge of the church. And these had, to a great extent, restored the lost confidence and allayed the jealous apprehensions of the South in relation to the purposes of the church respecting slavery. There was in the South no disposition to disturb, discuss, or in any way agitate the subject. The law was not objected to or complained of, but was regarded as a settled compromise between the parties, a medium arrangement on the ground of mutual concession, well calculated to secure and promote the best interests of the Church North and South.

That this law, this great compromise conservative arrangement, which had been looked to as the only reliable bond of jurisdictional union between the North and South for nearly half a century, was practically disregarded and abandoned by the last General Conference, in the memorable cases of Harding and Andrew, both by judicial construction and virtual legislation, manifestly inconsistent with its provisions and purposes, and subversive of the great objects of its enactment, has been two fearfully demonstrated by various forms of proof, to require more than a brief notice in this report. The actual position of the church was suddenly reversed, and its long established policy entirely changed. The whole law of the church, and the most important adjudications had upon it, were treated as null and obsolete, and that body proceeded to a claim of right, and course of action, amounting to a virtual repeal of all law, and new and capricious legislation on the most difficult and delicate question ever introduced into the councils of the church, or named upon its statute book.

By no fair construction of the law of slavery as given above could the church be brought in conflict with civil legislation on the subject. It is true, as demanded by the convictions and opinions of the church, testimony was borne against the evil of slavery, but it was done without conflicting with the polity and laws of any portion of the country. No law, for example, affected the lay-membership of the church with

regard to slaveholding; the church gave its full permission that the private members of the church might own and hold slaves at discretion; and the inference is indubitable, that the church did not consider simple slaveholding as a moral evil, personally attaching to the mere fact of being the owner or holder of slaves. The evil charged upon slavery must of necessity have been understood of other aspects of the subject, and could not imply moral obliquity, without impeaching the integrity and virtue of the church. Moreover, where the laws precluded emancipation, the ministry were subjected to no disabilities of any kind, and the requirements of the church in relation to slavery were not at least in anything like direct conflict with civil law. In contravention, however, of the plain and long established law of the church, the action of the General Conference of 1844, in the well known instances cited, brought the church into a state of direct and violent antagonism with the civil authority, and the rights of citizenship, throughout all the slaveholding States. This was not done by the repeal of existing law, or additional legislation by direct enactment, but in a much more dangerous form, by the simple process of resolution by an irresponsible majority, requiring southern ministers as slaveholders, in order to church eligibility and equality of right with non-slaveholding ministers of the church, to do what cannot be done without a violation of the laws of the States in which they reside, and is not required or contemplated, but expressly excepted, and even provided against, by the law of the church.

It will thus appear that the entire action of the General Conference on the subject of slavery was in direct conflict with the law, both of the church and the land, and could not have been submitted to by the South, without the most serious detriment to the interests of the church. The action in the instance of Bishop Andrew was, in the strongest and most exceptionable sense, extra-judicial. It was not pretended that Bishop Andrew had violated any law of the church; so far from this, the only law applicable to the case gave, as we have seen, ample and explicit assurance of protection. So to construe law, or so proceed to act without reference to law, as to abstract from it its whole protective power, and deprive it of all its conservative tendencies in the system, is one of the most dangerous forms of legal injustice, and, as a principle of action, must be considered as subversive of all order and government. The late General Conference required of Bishop Andrew, the same being equally true in the case of Harding, as the condition of his being acceptable to the church, the surrender of rights secured to him, both by civil and ecclesiastical law. The purposes of law were contravened and destroyed, and its prerogative and place usurped by mere opinion.

The requisition in the case was not only extra-judicial, being made in the absence of any thing like law authorizing the measure, but being made at the same time against law, it was usurpation; and so far as the proceeding complained of is intended to establish a principle of action with regard to the future, it gives to the General Conference all

the attributes of a despotism, claiming the right to govern without, above, and against law. The doctrine avowed at the late General Conference, and practically endorsed by the majority, that that body may, by simple resolution, advisory, punitive, or declaratory, repeal an existing law in relation to a particular case, leaving it in full force with regard to other cases or may enact a new and different law, and apply it judicially to the individual case, which led to the enactment, and all in a moment, by a single elevation of the hand, is a position, a doctrine, so utterly revolutionary and disorganizing, as to place in jeopardy at once both the interests and reputation of the church. The action in the case of Bishop Andrew not only assumed the character, and usurped the place of law, but was clearly an instance of ex post facto legislation, by making that an offence after the act, which was not such before. The conduct charged as an offence was at the time, and continues to be, under the full protection of a well-understood, and standing law of the church, and yet this conduct was made criminal, and punishable by the retrospective action of the Conference to which we allude. The officially expressed will of the General Conference intended to govern and circumscribe the conduct of Bishop Andrew, without reference to existing law, and indeed contrary to it, was made the rule of action, and he found guilty of its violation, by acts done before he was made acquainted with it. The conduct charged was in perfect consistency with the law of the church, and could only be wrought into an offence by an ex post facto bearing of the after action of the General Conference.

Bishop Andrew became the owner of slave property involuntarily, several years before his marriage, and as the fact, and not the extent of his connexion with slavery, constituted his offence, it follows, that for a relation in which he was placed by the action of others, and the operation of civil law, and in which, as a citizen of Georgia, he was compelled to remain, or be brought in conflict with the laws of the State, he was, in violation of the pledge of public law, as we have shown, arrested and punished by the General Conference. That body, by direct requirement, such at least by implication, commanded him to free his slaves, or suffer official degradation. The law of Georgia required him to hold his slaves, or transfer them to be held as such by others, under heavy and painful penalties to master and slave. To avoid ecclesiastical punishment and disability, the church required him either to leave the State of his residence, or violate its laws. In this way, taking the judicial decision in Harding's case, and the anomalous action in Bishop Andrew's, the church is placed in most offensive conflict with the civil authority of the State. Can any country or government safely allow the church to enforce disobedience to civil law, as a Christian duty? If such attempts are made to subordinate the civil interests of the State to the schemes and purposes of church innovation, prompted and sustained by the bigotry and fanaticism of large masses of ignorant and misguided zealots engaged in the conflict in the name of God and conscience, and for the ostensible purposes of

religious reform, what can be the stability of civil government, or the hopes of those seeking its protection? And what, we ask, must be the interest of the South, in connexion with such movements?

In the instance of slavery in this country, it is but too well known, that such antagonism as is indicated by the preceding facts and developments between the purposes of the church and the policy of the State, must result in the most disastrous consequences to both. The slavery of the southern States can never be reduced in amount, or mitigated in form, by such a state of things. The southern States have the sole control of the question, under the authority and by contract of the Federal Constitution, and all hope of removing the evil of slavery, without destroying the national compact and the union of the States, must connect with the individual sovereignty of the southern States, as parties to the Federal compact, and the independent policy of each State in relation to slavery, as likely to be influenced by moral and political reasons and motives, brought to bear, by proper means and methods, upon the understanding and moral sense of the southern people. All trespass upon right, whether as it regards the rights of property or of character—everything like aggression, mere denunciation or abuse, must of necessity tend to provoke further resistance on the part of the South, and lessen the influence the North might otherwise have upon the great mass of the southern people, in relation to this great and exciting interest. The true character and actual relations of slavery in the United States are so predominantly civil and political, that any attempt to treat the subject or control the question, upon purely moral and ecclesiastical grounds, can never exert any salutary influence South, except in so far as the moral and ecclesiastical shall be found strictly subordinate to the civil and political. This mode of appeal, it is believed, will never satisfy the North. The whole northern portion of the church, speaking through their guides and leaders, is manifesting an increasing disposition to form issues upon the subject, so utterly inconsistent with the rights and peace of the slaveholding States, that by how far the Methodist Episcopal Church, in the South, may contribute to the bringing about of such a state of things, or may fail to resist it, the influence of Methodism must be depressed, and the interest of the church suffer. In addition, then, to the fact, that we have already received an amount of injury beyond what we can bear, except under a separate organization, we have the strongest grounds of apprehension, that unless we place ourselves in a state of defence, and prepare for independent action, under the distinct jurisdiction we are now authorized by the General Conference to resolve upon and organize, we shall soon find ourselves so completely subjected to the adverse views and policy of the northern majority, as to be left without right or remedy, except as a mere secession from the church. Now, the case is entirely different, as we propose to do nothing not authorized in the General Conference Plan of Separation, either expressly or by necessary implication. The general view thus far taken of the subject, is intended to show, that "the Annual Conferences in the slave-

holding States," embracing the entire Church South, have found themselves placed in circumstances, by the action of the General Conference in May last, which, according to the declaration of the southern delegates, at the time, render it impracticable to accomplish the objects of the Christian ministry and church organization, under the present system of General Conference control, and showing by the most clear and conclusive evidence, that there exists the most urgent necessity for the "separate ecclesiastical connexion," constitutionally provided for by the General Conference upon the basis of the declaration just adverted to. At the date of the declaration, the southern delegates were fully convinced that the frequent and exciting agitation and action in that body on the subject of slavery and abolition—as in Harding's case, and especially the proceedings in the case of Bishop Andrew—each being regarded as but a practical exposition of the principle of the majority—rendered a separate organization indispensable to the success of Methodism in the South. The truth of the declaration, so far from being called in question, by the majority, was promptly conceded in the immediate action the Conference had upon it, assigning the declaration as the sole ground or reason of the action, which terminated in the adoption of the Plan of Separation, under which we are now acting as a convention, and from the spirit and intention of which, it is believed to be the purpose of the convention not to depart, in any of its deliberations or final acts.

Although the action of this General Conference on the subject of slavery, and the relative adverse position of the parties North and South, together with the irritating and exasperating evils of constant agitation and frequent attempts at legislation, are made in the declaration, the grounds of the avowal, that a separate organization was necessary to the success of the ministry in the slaveholding States, it was by no means intended to convey the idea, or make the impression, that no other causes existed rendering a separate organization proper and necessary; but as the action of the conference on the subject of slavery was certain to involve the church in the South in immediate and alarming difficulty, and it was believed that this could be shown to the majority, as to induce them to consent to some course of action in remedy of the evil, the complaint of the declaration was confined to the simple topic of slavery. It will be perceived that the case of Bishop Andrew, although prominently introduced, is not relied upon as exclusively furnishing the data of this conclusion at which we have arrived. The entire action of the General Conference so frequently brought to view, and which is made the ground of dissent and action, both in the protest and declaration of the southern delegates, must be understood as belonging to the premises and language employed, as including all the principles avowed, as well as the action had by the late General Conference on the subject of slavery. The attempt to disclaim the judicial character of the action in Bishop Andrew's case, and show it to be merely advisory, cannot affect the preceding reasoning; for, first, the disclaimer is as equivocal in character, as the original

action; and, secondly, the reasoning in support of the disclaimer negatives the supposition of mere advice, because it involves issues coming legitimately within the province of judicial process and legal determination; and, thirdly, Bishop Andrew is, by the explanation of the disclaimer itself, held as responsible for his conduct, in view of the alleged advice, as he could have been held by the original action without the explanation. While, therefore, the explanation giving the original action an advisory character, notwithstanding the inconsistency involved, fully protects Bishops Soule and Andrew from even the shadow of blame in the course they have pursued, the entire action in the case, and especially when connected with the case of Harding, as alluded to in the declaration, fully sustains the general view of the subject we have taken in this report. The southern delegates at the General Conference, in presenting to that body their declaration and protest, acted, and they continue to act, as the representatives of the South, under the full conviction that the principles and policy avowed by the northern majority, are such as to render their public and practical renunciation by the Southern Methodist ministry and people, necessary to the safety, not less than the success of the church in the South.

Other views of the subject, however, must claim a share of our attention. Among the many weighty reasons which influence the southern conferences in seeking to be released from the jurisdiction of the General Conference of the Methodist Episcopal Church as now constituted, are the novel, and, as we think, dangerous doctrines, practically avowed and endorsed by that body and the northern portion of the church generally, with regard to the constitution of the church, and the constitutional rights and powers, respectively, of the Episcopacy and the General Conference. In relation to the first, it is confidently, although most unaccountably, maintained that the six short restrictive rules which were adopted in 1808, and first became obligatory, as an amendment to the constitution in 1812, are in fact the true and only constitution of the church. This single position, should it become an established principle of action to the extent it found favor with the last General Conference, must subvert the government of the Methodist Episcopal Church. It must be seen at once that the position leaves many of the organic laws and most important institutions of the church entirely unprotected, and at the mercy of a mere and ever fluctuating majority of the General Conference. Episcopacy, for example, although protected in the abstract in general terms, may be entirely superseded or destroyed by the simple omission to elect or consecrate bishops, neither of which is provided for in the Restrictive Articles. The whole itinerant system, except general superintendency, is without protection in the Restrictive Rules; and there is nothing in them preventing the Episcopacy from restricting their superintendency to local and settled pastors, rather than a travelling ministry, and thus destroying the most distinctive feature of Wesleyan Methodism. So far as the Restrictive Rules are concerned, the Annual Conferences are without protection,

2942.

and might also be destroyed by the General Conference at any time. If the new constitutional theory be correct, class leaders and private members are as eligible, upon the basis of the constitution, to a seat in the General Conference, as any ministers of the church. Societies, too, instead of Annual Conferences, may elect delegates, and may elect laymen instead of ministers, or local instead of travelling ministers. Very few, indeed, of the more fundamental and distinguishing elements of Methodism, deeply and imperishably imbedded in the affection and veneration of the church, and vital to its very existence, are even alluded to in the Restrictive Articles. This theory assumes the self-refuted absurdity, that the General Conference is in fact the government of the Church, if not the Church itself. With no other constitution than these mere restrictions upon the powers and rights of the General Conference, the government and discipline of the Methodist Episcopal Church as a system of organized laws and well-adjusted instrumentalities for the spread of the Gospel, and the diffusion of piety, and whose living principles of energy and action have so long commanded the admiration of the world, would soon cease even to exist. The startling assumption, that a bishop of the Methodist Episcopal Church, instead of holding office under the constitution, and by tenure of law, and the faithful performance of duty, is nothing in his character of bishop but a mere officer, at will, of the General Conference, and may accordingly be deposed at any time, with or without cause, accusation, proof, or form of trial, as a dominant majority may capriciously elect, or party interests suggest; and that the General Conference may do, by right, whatever is not prohibited by the Restrictive Rules; and, with this single exception, possess power, "supreme and all-controlling," and this, in all possible forms of its manifestation—legislative, judicial, and executive—the same men claiming to be at the same time both the fountain and functionaries of all the powers of government, which powers, thus mingled and concentrated into a common force, may at any time be employed, at the prompting of their own interests, caprice, or ambition; such wild and revolutionary assumptions, so unlike the faith and discipline of Methodism, as we have been taught them, we are compelled to regard as fraught with mischief and ruin to the best interests of the church, and as furnishing a strong additional reason why we should avail ourselves of the warrant we now have, but may never again obtain, from the General Conference, to "establish an ecclesiastical connexion," embracing only the Annual Conferences in the slaveholding States.

Without intending any thing more than a general specification of the disabilities, under which the Southern part of the church labors, in view of the existing difficulties, and must continue to do so until they are removed, we must not omit to state, that should we submit to the action of the late General Conference, and decline a separate organization, it would be to place, and finally confirm, the whole Southern ministry in the relation of an inferior caste, the effect of which, in spite of all efforts to the contrary, would be such a relation, if not (as

we think) real degradation, of the ministry, as to destroy its influence to a great, a most fearful extent, throughout the South. A practical proscription, under show of legal right, has long been exercised towards the South, with regard to the higher offices of the church, especially the Episcopacy. To this, however, the South submitted with patient endurance, and was willing further to submit, in order to maintain the peace and unity of the church, while the principle involved was disavowed, and decided to be unjust, as by the decision of the General Conference in 1840. But when, in 1844, the General Conference declared by their action, without the forms of legislative or judicial process, that the mere providential ownership of slave property, in a State where emancipation is legally prohibited under all circumstances, and can only be effected by special legislative enactment, was hereafter to operate as a forfeiture of right in all similar cases, the law of the church and the decision of the preceding General Conference to the contrary notwithstanding, the southern ministry were compelled to realize, that they were deliberately fixed by the brand of common shame in the degrading relation of standing inferiority to ministers, not actually, nor yet liable to be connected with slavery, and that they were published to the church and the world as belonging to a caste in the ministry from which the higher offices of the church could never be selected.

To submit, under such circumstances, would have been a practical, a most humiliating, recognition of the inferiority of caste, attempted to be fixed upon us by the northern majority, and would have justly authorized the inference of a want of conscious integrity and self-respect, well calculated to destroy both the reputation and influence of the ministry in all the slaveholding States. It may be no virtue to avow it, but we confess we have no humility courting the grace of such a baptism. The higher objects, therefore, of the Christian ministry, not less than conscious right and self-respect, demanded resistance on the part of the Southern Ministry and Church; and these unite with other reasons in vindicating the plea of necessity, upon which the meeting and action of this convention are based, with the consent and approval of the General Conference of the Methodist Episcopal Church. The variety of interests involved, renders it necessary that the brief view of the subject we are allowed to take be varied accordingly.

Unless the Southern Conferences organize, as proposed, it is morally certain, in view of the evidence before the committee, that the Gospel, now regularly and successfully dispensed by the ministers of these conferences to about a million of slaves, in their various fields of missionary enterprise and pastoral charge, must, to a great extent, be withheld from them, and immense masses of this unfortunate class of our fellow beings be left to perish, as the result of church interference with the civil affairs and relations of the country.

The committee are compelled to believe that the mere division of jurisdiction, as authorized by the General Conference, cannot affect either the moral or legal unity of the great American family of

Christians, known as the Methodist Episcopal Church; and this opinion is concurred in by the ablest jurists of the country. We do nothing but what we are expressly authorized to do by the supreme, or rather highest, legislative power of the church. Would the church authorize us to do wrong? The division relates only to the power of general jurisdiction, which it is not proposed to destroy or even reduce, but simply to invest it in two great organs of church action and control, instead of one, as at present. Such a change in the present system of general control cannot disturb the moral unity of the church, for it is strictly an agreed modification of General Conference jurisdiction, and such agreement and consent of parties must preclude the idea of disunion. In view of what is the alleged disunion predicted? Is the purpose and act of becoming a separate organization proof of disunion or want of proper church unity? This cannot be urged with any show of consistency, inasmuch as "the several annual conferences in General Conference assembled," that is to say, the church, through only its constitutional organ of action, on all subjects involving the power of legislation, not only agreed to the separate organization South, but made full constitutional provision for carrying it into effect. It is a separation by consent of parties, under the highest authority of the church. Is it intended to maintain that the unity of the church depends upon the modal uniformity of the jurisdiction in question? If this be so, the Methodist Episcopal Church has lost its unity at several times. The general jurisdiction of the church has undergone modifications at several different times, not less vital, if not greatly more so, than the one now proposed. The high conventional powers, of which we are so often reminded, exercised in the organization of the Methodist Episcopal Chuch, were in the hands of a conference of unordained lay preachers, under the sole superintendence of an appointee of Mr. Wesley. This was the first General Conference type and original form of the jurisdiction in question. The jurisdictional power now proposed by the General Conference, was for years exercised by small annual conferences, without any defined boundaries, and acting separately on all measures proposed for their determination. This general power of jurisdiction next passed into the hands of the Bishops' council, consisting of some ten persons, where it remained for a term of years. Next it passed into the hands of the whole itinerant ministry, in full connexion, and was exercised by them, in collective action, as a General Conference of the whole body, met together at the same time. The power was afterwards vested in the whole body of travelling elders, and from thence finally passed into the hands of delegates, elected by the annual conferences, to meet and act quadrennially as a General Conference, under constitutional restrictions and limitations. Here are several successive re-organizations of General Conference jurisdiction, each involving a much more material change than that contemplated in the General Conference Plan, by authority of which this convention is about to erect the sixteen annual conferences in the

slaveholding States into a separate organization. We change no principle in the existing theory of General Conference jurisdiction. We distinctly recognise the jurisdiction of a delegated General Conference, receiving its appointment and authority from the whole constituency of annual conferences. The only change, in fact or in form, will be, that the delegates of the "annual conferences in the slaveholding States," as authorized in the Plan of Separation, will meet in one General Conference assembly of their own, and act in behalf only of their own constituency, and in the regulation of their own affairs, consistently with the good faith and fealty they owe the authority and laws of the several States in which they reside, without interfering with affairs beyond their jurisdiction, or suffering foreign interference with their own. And in proceeding to do this, we have all the authority it was in the power of the Methodist Episcopal Church to confer. We have also further example and precedent in the history of Methodism to show that there is nothing irregular or inconsistent with church order or unity in the separation proposed. The great Wesleyan Methodist family, every where one in faith and practice, already exists under several distinct and unconnected jurisdictions; there is no jurisdictional or connexional union between them; and yet it has never been pretended that these several distinct organizations were in any sense inconsistent with church unity. If the southern conferences proceed, then, to the establishment of another distinct jurisdiction, without any change of doctrine or discipline, except in matters necessary to the mere economical adjustment of the system, will it furnish any reason for supposing that the real unity of the church is affected by what all must perceive to be a simple division of jurisdiction? When the conferences in the slaveholding States are separately organized as a distinct ecclesiastical connexion, they will only be what the General Conference authorized them to be. Can this be irregular, or subversive of church unity? Acting under the provisional Plan of Separation, they must, although a separate organization, remain in essential union with, and be part and parcel of, the Methodist Episcopal Church, in every Scriptural and moral view of the subject; for what they do is with the full consent, and has the official sanction, of the church, as represented in the General Conference.

The jurisdiction we are about to establish and assert as separate and independent, is expressly declined and ceded by the General Conference as originally its own, to the southern conferences, for the specific purpose of being established and asserted in the manner proposed. All idea of secession, or an organization alien in right or relation to the Methodist Episcopal Church, is forever precluded by the terms and conditions of the authorized Plan of Separation. In whatever sense we are separatists or seceders, we are such by authority—the highest authority of the Methodist Episcopal Church. To whatever extent or in whatever aspect we are not true and faithful ministers and members of that church, such delinquency on misfortune is authenticated by her

2964.

act and approval, and she declares us to be "without blame;" "ministers of every grade and office in the Methodist Episcopal Church may, as they prefer, without blame, attach themselves to the Church South." Bishops, elders, and deacons come into the southern organization at their own election, under permission from the General Conference, not only accredited as ministers of the Methodist Episcopal Church, but with credentials limiting the exercise of their functions within the Methodist Episcopal Church. Is it conceivable that the General Conference would so act, and hold such language, in relation to an ecclesiastical connexion which was to be regarded as a secession from the church? Does not such act and language, and the whole plan of separation, rather show that, as the South had asked, so the General Conference intended to authorize, a simple division of its own jurisdiction, and nothing more?

All idea of secession, or schism, or loss of right or title, as ministers of the Methodist Episcopal Church, being precluded by the specific grant or authority under which we act, as well as for other reasons assigned, many considerations might be urged, strongly suggesting the fitness and propriety of the separate jurisdiction contemplated, rendered necessary, as we have seen, upon other and different grounds; and among these the increased value of the representative principle likely to be secured by the change, is by no means unworthy of notice. At the first representative General Conference, thirty-three years ago, each delegate represented five travelling ministers and about two thousand members, and the body was of convenient size for the transaction of business. At the late General Conference, each delegate was the representative of twenty-one ministers and more than five thousand members, and the body was inconveniently large for the purpose of deliberation and action. Should the number of delegates in the General Conference be increased with the probable growth of the church, the body will soon become utterly unwiedly. Should the number be reduced, while the ministry and membership are multiplying, the representative principle would become to be little more than nominal, and, in the same proportion, without practical value. Beside that the proposed re-organization of jurisdiction will remedy this evil, at least to a great extent, it will result in the saving of much time and expense and useful services to the church, connected with the travel and protracted sessions of the General Conference, not only as it regards the delegates, but also the bench of Bishops, whose general oversight might become much more minute and pastoral in its character by means of such an arrangement. When, in 1808, the Annual Conferences resolved upon changing the form of General Conference jurisdiction, the precise reasons we have just noticed were deemed sufficient ground and motive for the change introduced, and as we are seeking only a similar change of jurisdiction, although for other purposes as well as this, the facts to which we ask attention are certainly worthy of being taken into the estimate of advantages likely to result from a separate and independent organization, especially as the ministry and member-

ship, since 1808, have increased full seven hundred per centum, and should they continue to increase, in something like the same ratio, for thirty years to come, under the present system of General Conference jurisdiction, some such change as that authorized by the late General Conference must be resorted to, or the Church resign itself to the virtual extinction of the representative principle, as an important element of government action.

In establishing a separate jurisdiction as before defined and explained, so far from affecting the moral oneness and integrity of the great Methodist body in America, the effect will be to secure a very different result. In resolving upon a separate connexion, as we are about to do, the one great and controlling motive is to restore and perpetuate the peace and unity of the Church. At present we have neither, nor are we likely to have, should the Southern and Northern Conferences remain in connexional relation as heretofore. Inferring effects from causes known to be in existence and active operation, agitation on the subject of slavery is certain to continue, and frequent action in the General Conference is equally certain, and the result, as heretofore, will be excitement and discontent, aggression and resistance. Should the South retire and decline all further conflict, by the erection of the Southern Conferences into a separate jurisdiction, as authorized by the General Conference Plan, agitation in the church cannot be brought in contact with the South, and the former irritation and evils of the controversy must, to a great extent, cease, or at any rate so lose their disturbing force as to become comparatively harmless. Should the Northern Church continue to discuss and agitate, it will be within their own borders and among themselves, and the evil effects upon the South must, to say the least, be greatly lessened. At present, the consolidation of all the annual conferences, under the jurisdictional control of one General Conference, always giving a decided northern majority, places it in the power of that majority to manage and control the interests of the church, in the slaveholding States, as they see proper, and we have no means of protection against the evils certain to be inflicted upon us, if we judge the future from the past. The whole power of legislation is in the General Conference, and as that body is now constituted, the annual conferences of the South are perfectly powerless in the resistance of wrong, and have no alternative left them but unconditional submission. And such submission, to the views and action of the northern majority on the subject of slavery, it is now demonstrated, must bring disaster and ruin upon Southern Methodism, by rendering the church an object of distrust on the part of the State. In this way the assumed conservative power of the Methodist Episcopal Church, with regard to the civil union of the States, is to a great extent destroyed, and we are compelled to believe that it is the interest and becomes the duty of the church in the South to seek to exert such conservative influence in some other form; and after the most mature deliberation and careful examination of the whole subject, we know of nothing so likely to effect the object, as

the jurisdictional separation of the great Church parties unfortunately involved in a religious and ecclesiastical controversy about an affair of State—a question of civil policy, over which the Church has no control, and with which, it is believed, she has no right to interfere. Among the nearly five hundred thousand ministers and members of the conferences represented in this convention, we do not know one not deeply and intensely interested in the safety and perpetuity of the National Union, nor can we for a moment hesitate to pledge them all against any course of action or policy not calculated, in their judgment, to render that union as immortal as the hopes of patriotism would have it to be!

Before closing the summary view of the whole subject taken in this report, we cannot refrain from a brief notice of the relations and interests of southern border conferences. These, it must be obvious, are materially different from those of the more southern conferences. They do not, for the present, feel the pressure of the strong necessity impelling the South proper to immediate separation. They are, however, involved withregard to the subject matter of the controversy, and committed to well defined principles, in the same way and to the same extent with the most southern conferences. They have, with almost perfect unanimity, by public official acts, protested against the entire action of the late General Conference on the subject of slavery, and in reference to the relative rights and powers of Episcopacy and the General Conference, as not only unconstitutional, but revolutionary, and therefore dangerous to the best interests of the church. They have solemnly declared, by approving and endorsing the Declaration, the Protest, and Address of the southern delegates, that the objects of their ministry cannot be accomplished, under the existing jurisdiction of the General Conference, without reparation for past injury, and security against future aggression; and unless the border conferences have good and substantial reason to believe such reparation and security not only probable, but so certain as to remove reasonable doubt, they have, so far as principle and pledge are concerned, the same motive for action with the conferences south of them. Against the principles thus avowed by every one of the conferences in question, the anti-slavery and abolition of the North have, through official church organs, declared the most open and undisguised hostility; and these conferences are reduced to the necessity of deciding upon adherence to the principles they have officially avowed, or of a resort to expediency to adjust difficulties in some unknown form, which they have said could only be adjusted by substantial reparation for past injury, and good and sufficient warrant against future aggression. The question is certainly one of no common interest. Should any of the border conferences or societies South affiliate with the North, the effect, so far as we can see, will be to transfer the seat of war from the remoter South to these border districts; and what, we ask, will be the security of these districts against the moral ravages of such a war? What protection or security will the Discipline or the conservatism of the middle conferen-

ces afford? Of what avail were these at the last General Conference; and has either more influence now than then? The controversy of a large and rapidly increasing portion of the North is not so much with the South as with the Discipline, because it tolerates slavery in any form whatever; and should the Southern Conferences remain under the present jurisdiction, or any slaveholding portions of the South unite in the northern connexion in the event of division, it requires very little discernment to see that this controversy will never cease until every slaveholder or every abolitionist is out of the connexion. Besides, the border conferences have a great and most delicate interest at stake, in view of their territorial and civil and political relations, which it certainly behooves them to weigh well and examine with care in coming to the final conclusion, which is to identify them with the North or the South. Border districts going with the North, after and notwithstanding the action of the border conferences, must, in the nature of things, as found in the Methodist Episcopal Church, affiliate, to a great extent, with the entire aggregate of northern anti-slavery and abolition, as now embarked against the interests of the South—as also with all the recent official violations of right, of law, and Discipline, against which the South is now contending. In doing this, they must of necessity, if we have reasoned correctly, elect and contribute their influence to retain in the connexion of their choice all the principles and elements of strife and discord which have so long and fearfully convulsed the church. Will this be the election of southern border sections and districts, or will they remain where, by location, civil and political ties and relations, and their own avowed principles, they properly belong, firmly planted upon the long and well-tried platform of the Discipline of our common choice, and from which the Methodism of the South has never manifested any disposition to swerve? To the Discipline the South has always been loyal. By it she has abided in every trial. Jealously has she cherished and guarded that "form of sound words"—the faith, the ritual, and the government of the church. It was southern defence against northern invasion of the Discipline which brought on the present struggle; and upon the Discipline, the whole Discipline, the South proposes to organize, under authority of the General Conference, a separate connexion of the Methodist Episcopal Church. The result, from first to last, has been consented to on the part of the South with the greatest reluctance.

After the struggle came on at the late General Conference, the southern delegates, as they had often done before, manifested the most earnest desire, and did all in their power, to maintain jurisdictional union with the North without sacrificing the interests of the South. When this was found impracticable, a connexional union was proposed, and the rejection of this by the North led to the projection and adoption of the present General Conference Plan of Separation. Every overture of compromise, ever plan of reconciliation and adjustment regarded as at all eligible or likely to succeed, was offered by the South and rejected by the North. All subsequent attempts at compro-

mise have failed in like manner, and the probability of any such adjustment, if not extinct, is lessening every day, and the annual conferences in the slaveholding States are thus left to take their position upon the ground assigned them by the General Conference of 1844 as a distinct ecclesiastical connexion, ready and most willing to treat with the northern division of the church, at any time, in view of adjusting the difficulties of this controversy upon terms and principles which may be safe and satisfactory to both.

Such we regard as the true position of the annual conferences represented in this convention. Therefore, in view of all the principles and interests involved, appealing to the Almighty searcher of hearts for the sincerity of our motives, and humbly invoking the Divine blessing upon our action,

Be it resolved, by the delegates of the several annual conferences of the Methodist Episcopal Church, in the slaveholding States, in General Convention assembled, That it is right, expedient, and necessary to erect the annual conferences represented in this convention into a distinct ecclesiastiaal connexion, separate from the jurisdiction of the General Conference of the Methodist Episcopal Church, as at present constituted; and, accordingly, we, the delegates of said annual conferences, acting under the Provisional Plan of Separation adopted by the General Conference of 1844, do solemnly declare the jurisdiction hitherto exercised over said annual conferences by the General Conference of the Methodist Episcopal Church entirely dissolved; and that said annual conferences shall be, and they hereby are, constituted a separate ecclesiastical connexion, under the provisional Plan of Separation aforesaid, and based upon the Discipline of the Methodist Episcopal Church, comprehending the doctrines and entire moral, ecclesiastical, and economical rules and regulations of said Discipline, except only in so far as verbal alterations may be necessary to a distinct organization, and to be known by the style and title of the Methodist Episcopal Church South.

Resolved, That Bishops Soule and Andrew be, and they are hereby, respectfully and cordially requested by this convention to unite with, and become regular and constitutional bishops of, the Methodist Episcopal Church South, upon the basis of the Plan of Separation adopted by the late General Conference.

Resolved, That this convention request the Bishops presiding at the ensuing sessions of the border conferences of the Methodist Episcopal Church South to incorporate into the aforesaid conferences any societies or stations adjoining the line of division, provided such societies or stations, by the majority of the members, according to the provisions of the Plan of Separation aforesaid, request such an arrangement.

Resolved, That answer the 2d of 3d section, chapter 1st, of the Book of Discipline, be so altered and amended as to read as follows: "The General Conference shall meet on the 1st of May, in the year of our Lord 1846, in the town of Petersburg, Va., and thenceforward, in the month of April or May, once in four years successively, and in

such place and on such day as shall be fixed on by the preceding General Conference," etc.

Resolved, That the first answer in the same chapter be altered by striking out the word "twenty-one," and inserting in its place the word "fourteen," so as to entitle each annual conference to one delegate for every fourteen members.

Resolved, That a committee of three be appointed, whose duty it shall be to prepare and report to the General Conference of 1846 a revised copy of the present Discipline, with such changes as are necessary to conform it to the organization of the Methodist Episcopal Church South.

Resolved, That while we cannot abandon or compromise the principles of action upon which we proceed to a separate organization in the South; nevertheless, cherishing a sincere desire to maintain Christian union and fraternal intercourse with the Church North, we shall always be ready, kindly and respectfully to entertain, and duly and carefully consider, any proposition or plan, having for its object the union of the two great bodies in the North and South, whether such proposed union be jurisdictional or connexional.

6. *The action of the Council or meeting of Bishops at New York, in July, 1845, from their Minutes.*

This council met in the city of New York, July 2d, 1845, and was attended by Bishops Hedding, Waugh, Morris, and Janes. Bishop Hamline sent his opinion in writing on the points to be acted on by the council; Bishop Soule did not attend, and Bishop Andrew being suspended, was not invited. Besides agreeing on a new plan of visitation, the Bishops adopted the following resolutions, intended for the government of their own administration:

1. Resolved, That the Plan reported by the Select Committee of nine at the last General Conference, and adopted by that body, in regard to a distinct ecclesiastical connexion, should such a course be found necessary by the annual conferences in the slaveholding States, is regarded by us as of binding obligation in the premises, so far as our administration is concerned.

2. Resolved, That in order to ascertain fairly the desire and purpose of those societies bordering on the line of division, in regard to their adherence to the Church, North or South, due notice shall be given of the time, place, and object of the meeting for the above purpose, at which a chairman and secretary should be appointed, and the sense of all the members present be ascertained, and the same be forwarded to the Bishop who may preside at the ensuing annual conferences; or forward to said presiding Bishop a written request to be recognised and have a preacher sent them, with the names of the majority appended thereto.

A true copy. EDMUND S. JANES, *Sec'y.*

7. *Bishop Soule's Letter of Invitation to Bishop Andrew to perform Episcopal functions, and Bishop Andrew's reply.*

At this crisis, Bishop Andrew received a letter from Bishop Soule, inviting him into the field. The letter and response are given below, and they sufficiently explain themselves. This was the first authentic information Bishop Andrew received of the arrangement entered into by the Bishops at the close of the General Conference.

LEBANON, OHIO, *Sept.* 26, 1844.

To the Rev. James O. Andrew, D. D., Bishop of the Methodist Episcopal Church.

MY DEAR BISHOP: Since the close of the recent eventful session of the General Conference I have been watching, with deep solicitude, the "signs of the times," and tracing causes, as far as I was able, to their ultimate issues. Some general results, growing out of the action of the conference, it required no prophetic vision to foresee. To prevent the measures which, in my judgment, would lead to these results with demonstrative certainty, I labored day and night with prayers and tears, till the deed was done—the eventful resolution passed. From that perilous hour my hands hung down, discouragement filled my heart, and the last hope of the unity of our beloved Zion well nigh fled from earth to heaven. My last effort to avert the threatening storm appears in the joint recommendation of all the Bishops to suspend all action in the case until the ensuing General Conference. At the presentation of this document some brethren perceived that instead of light the darkness around them was increased tenfold. Others will judge, have judged already. And those who come after us will examine the history of our acts. The document was respectfully laid upon the table, probably under the influence of deep regret that "our Bishops should enter the arena of controversy in the General Conference." But it cannot, does not, sleep there. I have heard many excellent ministers, and distinguished laymen in our own communion, not in the slave States, refer to it as a measure of sound Christian policy, and with deep regret that the conference had not adopted it. Many of our northern brethren seem now deeply to deplore the division of *there* Church. O! that there had been forethought as well as afterthought! I have seen various plans of compromise for the adjustment of our difficulties and preservation of the unity of the Church. The most prominent plan provides that a fundamental article in the treaty shall be, that no abolitionist or slaveholder shall be eligible to the office of a Bishop in the Methodist Episcopal Church. Alas, for us! Where are our men of wisdom, of experience? Where are our fathers and brethren who have analyzed the elements of civil or ecclesiastical compacts? Who are the "high contracting parties?" and will they create a caste in the constitutional eldership in the Church of Christ? Will this tend to harmonize and consolidate the body? Brethren, North and South,

will know that the cause must be removed that the effect may cease; that the fountain must be dried up before the stream will cease to flow. But I must pause on this subject. The time has not fully arrived for me to define my position in regard to the causes and remedies of the evils which now agitate and distract our once united and peaceful body. Still I trust I have given such proofs at different times, and under different circumstances, as not to render my position doubtful in the judgment of sober, discriminating men, either North or South. The General Conference spake in the language of wisdom and sound Christian policy when, in the pastoral address of 1836, it solemnly and affectionately advised the ministers and members of the Church to abstain from all agitation of the exciting subject of slavery and its abolition. Nor was the adoption of the report of the committee on the memorial of our brethren from a portion of Virginia, within the bounds of the Baltimore Conference, less distinguished by the same characteristics of our holy Christianity, and the sound policy of our Discipline in providing for the case.

It has often been asked, through the public journals, and otherwise, "why Bishop Andrew was not assigned his regular portion of the Episcopal work for the four ensuing years, on the plan of visitation formed by the Bishops, and published in the official papers?" It devolves on the majority of my colleagues in the Episcopacy, (if, indeed, we have an Episcopacy,) rather than on me, to answer this question. Our difference of opinion in the premises, I have no doubt, was in Christian honesty and sincerity. Dismissing all further reference to the painful past till I see you in the South, let me now most cordially invite you to meet me at the Virginia Conference, at Lynchburg, November 13th, 1844, should it please a gracious Providence to enable me to be there. And I earnestly desire that you would, if practicable, make your arrangements to be with me at all the Southern Conferences in my division of the work for the present year, where I am sure your services will not be "unacceptable." I am the more solicitous that you should be at Lynchburg from the fact that my present state of health creates a doubt whether I shall be able to reach it. I am now laboring, and have been for nearly three weeks, under the most severe attack of asthma which I have had for six or seven years,—some nights unable to lie down for a moment. Great prostration of the vital functions, and indeed of the whole physical system, is the consequence. But no effort of mine shall be wanting to meet my work; and the inducements to effort are greatly increased by the present position of the church, and the hope of relief from my present affliction by the influence of a milder and more congenial climate. I cannot conclude without an expression of my sincere sympathy for you, and the second of your joys and sorrows, in the deep affliction through which you have been called to pass. May the grace of our Lord Jesus Christ sustain you both.

Yours with sentiments of affection and esteem,

JOSHUA SOULE.

2948.

CHARLESTON, S. C., Nov. 4, 1844.

MY DEAR BROTHER: I perceive from the resolutions passed at the various church meetings in the South, that there is a very general expression of opinion in favor of my taking my appropriate share of Episcopal labor; and as I have received, both from public meetings and individual correspondents, from ministers and laymen, the most earnest and affectionate invitations to attend the sessions of most of the southern and southwestern conferences, I deem it due to all concerned to state definitely the course I have pursued, and had resolved to pursue, till the meeting of the convention at Louisville, Kentucky. Immediately after the passing of the memorable resolution in my case in the late General Conference, I left the city of New York, and spent the next day, which was the Sabbath, at Newark, New Jersey, to fulfil an engagement previously made; after which I returned to the bosom of my family in Georgia. From Newark I addressed a letter to Bishop Soule, assigning the reasons for my departure, and stating in substance to the following effect, viz., that I did not know whether the Bishops would feel authorized, in view of the recent action of the General Conference, to assign me a place among them for the next four years, unless that body should condescend to explain its action more definitely; but that if the Bishops should see proper to assign me my share in the Episcopal visitations, I should be glad that they would let my work commence as late in the season as convenient, inasmuch as I had been absent from my family most of the time for the last twelve months; but that if they did not feel authorized, in view of the action of the General Conference, to give me work, I should not feel hurt with them. It will be remembered that there was subsequently introduced into the conference a resolution intended to explain the meaning of the former one as being simply advisory; this was promptly laid on the table, which left no doubt of the correctness of the opinion I had previously formed, that the General Conference designed the action as mandatory. I understand that the southern delegates afterwards notified the Bishops in due form, that if they should give me my portion of the Episcopal work, I should attend to it. The plan of Episcopal visitation, however, was drawn up and subsequently published without my name, as is well known. I have heard it rumored, indeed, that this plan was so arranged that I could be taken into it at any time when I should signify a wish to be so introduced; and some anonymous correspondents of the Western and Southern Christian Advocates have expressed themselves in a manner which indicated some surprise, that I had not availed myself of this kind provision of the Episcopal board. Now, in reply to all this I have only to say, that I presume those gentlemen are mistaken entirely as to the practicability of any such arrangement; for if the Bishops had contemplated the possibility of any such change in their plan, it is but fair to infer that either they would have appended to their published arrangement some note to that effect, or else that they would have in-

formed me of it by letter; and forasmuch as they have done neither, I presume that the aforementioned rumor is altogether without foundation. However, I may be mistaken in this judgment, and I know nothing of the plans of the Bishops, other than what is published, not having received a line from one of them since the General Conference, save the accompanying letter from Bishop Soule. In view of all these facts, I came deliberately to the conclusion that the Bishops thought it most prudent, under the circumstances, not to invite me to perform any official action; and as I wished to be the cause of no unpleasant feeling to the Bishops or preachers, I determined not to visit any of the Annual Conferences at their respective sessions. At the urgent solicitation, however, of many of the preachers of the Kentucky Conference, I so far changed my determination as to make an effort to reach that conference about the last day or two of the session; but a very unexpected detention on the road prevented the accomplishment of my purpose. Further reflection brought me back to my original purpose; and I abstained from visiting Holston and Missouri. On the important questions which now agitate us, I wished the conferences to act in view of the great facts and principles involved apart from any influence which my personal presence among them might produce. I had laid out my plan of work for the winter; I designed to visit different portions of the church in the slaveholding States, and publish among them, as I was able, the unsearchable riches of Christ. The foregoing communication from Bishop Soule furnishes me a sufficient reason to change my arrangements, and to attend, in connexion with him, the conferences allotted to him during the winter, in the distribution of Episcopal labor.

And now permit me, in conclusion, to tender to my brethren both of the South and Southwest, my most cordial and grateful acknowledgments for their kind expressions of sympathy for me, in the storm through which I have been passing, and to invoke their most fervent and continued prayers for me and mine, and especially for the church of God. I thank them for the many affectionate invitations to attend their conferences, and most joyfully would I have been with them but for the reasons indicated above. May God abundantly bless us and guide us all into the way of truth and peace.

JAMES O. ANDREW.

8. *The action of the conferences of Kentucky, Missouri, Holston, and Tennessee, in* 1845, *subsequent to the Louisville Convention, printed in the last mentioned history, pp.* 246, 248, 250, 252, *and Bishop Morris's letter,* 248.

We now come to notice the movements of conferences in the slaveholding States, and which were represented in the Louisville Convention. The first in order of these is Kentucky. It met September 10, 1845, in Frankfort, Kentucky, and was attended by Bishops Soule and Andrew. On the first day of the session the following preamble and resolutions were offered to the conference, and adopted:

Whereas, the long-continued agitation and excitement on the subject of slavery and abolition in the Methodist Episcopal Church, and especially such agitation and excitement in the last General Conference, in connexion with the civil and domestic relations of Bishop Andrew, as the owner of slave property, by inheritance and marriage, assumed such form in the action had in the case of Bishop Andrew, as to compel the southern and southwestern delegates in that body to believe, and formally and solemnly to declare, that a state of things must result therefrom which would render impracticable the successful prosecution of the objects and purposes of the Christian ministry and church organization in the annual conferences within the limits of the slaveholding States, upon the basis of which declaration the General Conference adopted a provisional plan of separation in view of which said conferences might, if they found it necessary, form themselves into a separate General Conference jurisdiction; and whereas said conferences, acting first in their separate conference capacity, as distinct ecclesiastical bodies, and then collectively by their duly appointed delegates and representatives, in general convention assembled, have found and declared such separation necessary, and have further declared a final dissolution, in fact and form, of the jurisdictional connexion hitherto existing between them and the General Conference of the Methodist Episcopal Church as heretofore constituted, and have organized the Methodist Episcopal Church South upon the unaltered basis of the doctrines and discipline of the Methodist Episcopal Church in the United States before its separation, as authorized by the General Conference; and whereas said Plan of Separation, as adopted by the General Conference and carried out by the late convention of southern delegates in the city of Louisville, Kentucky, and also recognised by the entire Episcopacy as authoritative and of binding obligation in the whole range of their administration, provides that conferences bordering on the line of division between the two connexions, North and South, shall determine, by vote of a majority of their members respectively, to which jurisdiction they will adhere; therefore, in view of all the premises, as one of the border conferences, and subject to the above named rule—

Resolved, by the Kentucky Annual Conference of the Methodist Episcopal Church, That, in conforming to the General Conference Plan of Separation, it is necessary that this conference decide by a vote of a majority of its members to which connexion of the Methodist Episcopal Church it will adhere, and that we now proceed to make such decision.

Resolved, That any member or members of this conference declining to adhere to that connexion to which the majority shall by regular official vote decide to adhere, shall be regarded as entitled, agreeably to the Plan of Separation, to hold their relation to the other ecclesiastical connexion, North or South, as the case may be, without blame or prejudice of any kind, unless there be grave objections to the moral

character of such member or members before the date of such formal adherence.

Resolved, That, agreeebly to the provisions of the General Conference Plan of Separation, and the decisions of the Episcopacy with regard to it, any person or persons, frem and after the act of non-concurrence with the majority as above, cannot be entitled to hold membership, or claim any of the rights or privileges of membership, in this conference.

Resolved, That, as a conference, claiming all the rights, powers, and privileges of an annual conference of the Methodist Episcopal Church, we adhere to the Methodist Episcopal Church South, and that all our proceedings, records, and official acts, hereafter, be in the name and style of the Kentucky Annual Conference of the Methodist Episcopal Church South.

Frankfort, Ky., Sept. 10, 1845.

The vote on the 4th, the adhering resolution, being taken by ayes and noes, stood—ayes 77, noes 6. Four of the six who voted in the negative afterward adhered personally to the South; but three persons who did not vote on conference adherence—one being absent, and two being probationers—personally adhered to the North. Here the result was very different from the predictions of one party and the apprehensions of the other. The unanimity of sentiment in the conference, and the delightful harmony which prevailed, wielded a mighty influence in promoting harmony in the societies and throughout the conference. On a line of border of several hundreds of miles, there was found but one small society adhering to the North, while in nearly all the others not a murmur or complaint was heard. A paper in Kentucky, which had employed all its influence previously against the South, from this time acquiesced, and faithfully co-operated with the conference. True, the conference had lost two effective men—two young men who might in time have become useful—and a venerable superannuate, for whose support during life the conference gave a generous pledge; but they had gained five (and afterwards gained three) from the North—all men of experience, weight, and talents.

The second border conference to act on the question of adherence was Missouri. Here it was claimed that the northern party would have a conference at any rate; for if they could not secure a majority, they would organize with a minority, transact the regular business of the Missouri Conference, and draw the dividend from the Book Concern. The better to accomplish their purposes, Bishop Morris was written to and invited to attend the conference, with a desire that he would take charge of the northern party. To this invitation he gave the following noble response:

Bishop Morris's Letter.

BURLINGTON, IOWA, *Sept.* 8, 1845.

Rev. Wilson S. McMurry.

DEAR BROTHER: Your letter of the 1st inst. is now before me. The

resolutions to which you refer did pass in the meeting of the Bishops at New York in July unanimously. We all believe they are in accordance with the plan of separation adopted by the General Conference. Whether that plan was wise or foolish, constitutional or unconstitutional, did not become us to say, it being our duty, as Bishops, to know what the General Conference ordered to be done in a certain contingency which has actually transpired, and to carry it out in good faith. It is, perhaps, unfortunate that the resolutions were not immediately published, but it was not thought necessary by a majority at the time they passed. Still our administration will be conformed to them. Bishop Soule's notice was doubtless founded upon them.

As I am the responsible man at Indiana Conference, October 8, it will not be in my power to attend Missouri Conference; nor do I think it important to do so. Were I there, I could not, with my views of propriety and responsibility, encourage subdivision. If a majority of the Missouri Conference resolve to come under the Methodist Episcopal Church South, that would destroy the identity of the Missouri Conference as an integral part of the Methodist Episcopal Church. As to having two Missouri Conferences, each claiming to be the true one, and demanding the dividends of the Book Concern, and claiming the church property, that is the very thing that the General Conference designed to prevent, by adopting the amicable plan of separation. It is true that the minority preachers have a right, according to the general rule in the plan of separation, to be recognised still in the Methodist Episcopal Church, but in order to that they must go to some adjoining conference in the Methodist Episcopal Church. The border charges may also, by a majority of votes, decide which organization they will adhere to, and if reported in regular order to the conference from which they wish to be supplied, or to the Bishops presiding, they will be attended to on either side of the line of separation. But if any brethren suppose the Bishops will send preachers from the North to interior charges South, or to minorities of border charges, to produce disruption, or that they will encourage minority preachers on either side of the line to organize opposition lines, by establishing one conference in the bounds of another, they are misled. That would be departing from the plain letter of the rule prescribed by the General Conference in the premises. Editors may teach such nullification and answer for it if they will, but the Bishops all understand their duty better than to endorse such principles. I acknowledge that, under the practical operation of the plan of separation, some hard cases may arise, but the Bishops do not make and have not the power to relieve them. It is the fault of the rule, and not of the executive administration of it. In the mean time, there is much more bad feeling indulged in respecting the separation than there is necessity for. If the plan of separation had been carried out in good faith and Christian feeling on both sides, it would scarcely have been felt any more than the division of an Annual Conference. It need not destroy confidence or embarrass the work, if the business be managed in the spirit of Christ. I trust the

time is not very far distant when brethren, North and South, will cease their hostilities, and betake themselves to their prayers and other appropriate duties in earnest. Then, and not till then, may we expect the Lord to bless us as in former days.

I am, dear brother,

Yours, respectfully and affectionately,

THOS. A. MORRIS.

Bishop Soule presided over the conference, and when the question of adherence was taken up, the letter of Bishop Morris was read, and, as may be supposed, not without effect.

The same resolutions substantially adopted by Kentucky Conference were introduced and adopted by this conference, only 14 voting in the negative, including absentees.

Next, the Holston Conference met: Bishop Andrew presided, and the conference adopted the following preamble and resolutions with but one negative vote; and the brother who gave the negative vote afterwards gave in his adhesion to the Methodist Episcopal Church South, and took work of the conference as usual:

The following preamble and resolutions were offered by Samuel Patton, and adopted by a vote of 51 in the affirmative and 1 in the negative. Several members were not in attendance at the conference:

Whereas, The long continued agitation on the subject of slavery and abolition in the Methodist Episcopal Church did, at the General Conference of said church, held in the city of New York in May, 1844, result in the adoption of certain measures by that body which seriously threatened a disruption of the church, and to avert this calamity said General Conference did devise and adopt a plan contemplating the peaceful separation of the South from the North, and constituting the conferences in the slaveholding States the sole judges of the necessity for such separation; and, whereas, the conferences in the slaveholding States, in the exercise of the right accorded to them by the General Conference, did, by their representatives in convention at Louisville, Kentucky, in May last, decide that separation was necessary, and proceeded to organize themselves into a separate and distinct ecclesiastical connexion, under the style and title of the Methodist Episcopal Church South, basing their claim to a legitimate relation to the Methodist Episcopal Church in the United States upon their unwavering adherence to the "Plan of Separation" adopted by the General Conference of said church in 1844, and their devotion to the doctrines, discipline, and usages of the church as they received them from their fathers.

And as the Plan of Separation provides that the conferences bordering on the geographical line of separation shall decide their relation by the votes of the majority—as, also, that ministers of every grade shall make their election North or South without censure—therefore,

1. Resolved, That we now proceed to determine the question of our ecclesiastical relation by the vote of the conference.

2. That we, the members of the Holston Annual Conference, claiming all the rights, powers, and privileges of an annual conference of the Methodist Episcopal Church in the United States, do hereby make our election with, and adhere to the Methodist Episcopal Church South.

3. That while we thus declare our adherence to the Methodist Episcopal Church South, we repudiate the idea of secession in any schismatic or offensive sense of the phrase, as we neither give up nor surrender anything which we have received as constituting any part of Methodism, and adhere to the southern ecclesiastical organization, in strict accordance with the provisions of the Plan of Separation adopted by the General Conference of the Methodist Episcopal Church at its session in New York in May, 1844.

4. That we are satisfied with our Book of Discipline as it is on the subject of slavery, and every other vital feature of Methodism, as recorded in that book; and that we will not tolerate any changes whatever, except such verbal or unimportant alterations as may, in the judgment of the General Conference, facilitate the work in which we are engaged, and promote uniformity and harmony in our administration.

5. That the journals of our present session, as well as all our official business, be henceforth conformed in style and title to our ecclesiastical relations.

6. That it is our desire to cultivate and maintain fraternal relations with our brethren of the North. And we do most sincerely deprecate the continuance of paper warfare, either by editors or correspondents, in our official church papers, and devoutly pray for the speedy return of peace and harmony in the church, both North and South.

7. That the Holston Annual Conference most heartily commend the course of our beloved bishops, Soule and Andrew, during the recent agitations which have resulted in the territorial and jurisdictional separation of the Methodist Episcopal Church, and that we tender them our thanks for their steady adherence to principle and the best interests of the slave population.

DAVID ADAMS.

The Tennessee Conference, which met October 22, 1845, though not a border conference, adopted the following preamble and resolutions by a unanimous vote:

Whereas the agitation of the questions of slavery and abolition, for the last several years, has created great excitement in the Methodist Episcopal Church, destructive of her peace and harmony; and whereas the General Conference of 1844 did, by extra-judicial act, virtually suspend the Rev. James O. Andrew, one of the bishops of said church, for an act in which he was fully sustained by the law and constitution of the church, and did thereby render a continuance of the conferences in the slaveholding States, under the jurisdiction of said General Conference, inconsistent with the interests of our holy religion, and the

great purposes of the Christian ministry; and whereas the said General Conference adopted a plan for a constitutional and peaceable division of the Methodist Episcopal Church into two separate and distinct ecclesiastical jurisdictions; and whereas the conferences in the slaveholding States did adjudge such separation imperiously necessary, and did appoint delegates from their respective bodies to meet in general convention at Louisville, Kentucky, on the 1st day of May, 1845; and whereas said convention did proceed to declare the separation right, expedient, and necessary for the prosperity of the Southern Church, and did proceed according to the plan of separation provided by the General Conference of 1844, to adopt measures for the organization of a separate and distinct ecclesiastical jurisdiction, known by the name and under the style of "The Methodist Episcopal Church South," based on the doctrines and economy of the Methodist Episcopal Church, as set forth in the Discipline of said church; therefore,

1. Resolved, That we approve the plan of separation as reported by the committee of nine, and adopted by the General Conference of 1844.

2. That we most cordially approve of the entire proceedings of the southern delegates in the convention at Louisville, in May, 1845, and that we solemnly declare our adherence to the said southern organization.

3. That our journals and all our official records be kept in the name and under the style of the Tennessee Annual Conference of the Methodist Episcopal Church South.

4. That we will, at this session, elect delegates to the General Conference of the Methodist Episcopal Church South, to be held at Petersburg, Va., on the 1st day of May, 1846, according to the ratio of representation (one for every fourteen members of the conference) fixed at the Louisville convention.

5. That we, as ever, heartily believe in the doctrines and approve the government of the Methodist Episcopal Church, as set forth in our articles of faith, and taught in the Discipline, and that we will resist any and every attempt to change any cardinal features of Methodism, as handed down to us by "our fathers."

6. That we highly approve of the course pursued by Bishop Soule and Andrew in their administration, since the occurrence of the difficulties in the General Conference of 1844, and that we sympathize with them in the unjust and ungenerous persecution which has been so bitterly carried on against them in certain portions of the North.

7. That we properly appreciate the conservative course pursued by the bench of Bishops, pending the difficulties which for the last eighteen months have so agitated the church, and specially do we commend their purpose of carrying out, so far as their administration is concerned, the Plan of Separation adopted by the General Conference of 1844.

ROBERT PAINE,
J. B. McFERRIN.

9. *The Journal of the General Conference of the Methodist Episcopal Church South, at Petersburgh, Va., in May*, 1846, *printed*. (To be referred to.)

10. *The communication from H. B. Bascom, and others, commissioners, to N. Bangs, and others, commissioners, dated Cincinnati, Ohio, Aug. 25th*, 1846, *and the reply thereto, dated New York, October* 14, 1846.

The General Conference of 1844 in the provisional plan of a division of the church property with the South, appointed three commissioners in behalf of the northern branch of the church to act co-operatively with like commissioners to be appointed on the part of the South. Our Southern General Conference of May last appointed commissioners accordingly, who met in Cincinnati in August last, and addressed the following communication to the commissioners of the North—personally and privately. Rev. J. B. Finley, one of the northern commissioners, responded through the Western Advocate, and we now deem it proper to let our readers see the communication of our commissioners, and Mr. Finley's reply in connexion. The argument of Commissioner Finley is sufficiently original. In substance it is, 1. The Conferences voted against the change. 2. The commissioners had no means of knowing how the Conferences voted. 3. Nobody had any authority to give them the information. 4. The South had forfeited all claim to the benefits of such vote if it was given.

"The undersigned, commissioners appointed by the late General Conference of the Methodist Episcopal Church South, in accordance with the Plan of Separation, adopted by the General Conference of the Methodist Episcopal Church in 1844, to act in concert with the commissioners of said Methodist Episcopal Church, specially appointed for the purpose, in estimating the amount of property and funds due to the Methodist Episcopal Church South, according to the Plan of Separation aforesaid, and to adjust and settle all matters pertaining to the division of the church property and funds, as agreed upon and provided for in said Plan, with full powers at the same time to carry into effect the whole arrangement, with regard to said division of property, would respectfully give notice to the Rev. Dr. Bangs, Dr. Peck, and Rev. James B. Finley, commissioners, and the Rev. George Lane and C. B. Tippett, book agents of the Methodist Episcopal Church, that they are prepared to act in concert with them, as the Plan of Separation contemplates, and requests in an amicable attempt, to settle and adjust all the matters and interests to which the appointment of each board of commissioners relates—that is to say, all questions involving property and funds which may be pending between the Methodist Episcopal Church and the Methodist Episcopal Church South. And, as necessary to such a result, in the judgment of the commissioners South, they would respectfully suggest and urge the propriety and necessity of a joint meeting of the Board of Commissioners, North and

South, at a period as early as practicable, that the intention of the Plan of Separation, in this respect, may not be defeated by unnecessary delay.

It has been the aim of the General Conference of the Methodist Episcopal Church South to see that all the terms and stipulations of the Plan of Separation be strictly complied with on their part, and provision has been accordingly made that the Rev. John Early, book agent of the Methodist Episcopal Church South, and its appointee to receive the property and funds falling due to the South, be duly and properly clothed with the legal and corporate powers required by the Plan of Separation. And the undersigned commissioners are not able to perceive any valid reason or reasons why the negotiation respecting the division of property should not proceed in the hands of the joint commissioners without delay, and hence request the joint meeting of the commissioners of the bodies they represent to judge and determine whether the annual conferences have authorized the change of the sixth restrictive rule, and as no such decision can be had until given by them, it seems important that such decision should be given by them as soon as practicable, and we know of no mode of conclusive action in the case, except by a joint meeting of the commissioners. The Plan of Separation provides for no intermediate action between that of the annual conferences and that to be had by the commissioners, and unless the commissioners North are in possession of information, clear and satisfactory, that the action of the annual conferences, in the aggregate vote given by them, is adverse to the recommendation of the General Conference, it is obviously made their duty, by the Plan of Separation, to meet and decide the question. From all the information in our possession, we see no reason why we should not act upon the assumption that the proposed change in the restrictive rule has been authorized. The language of the Discipline is, "Upon the concurrent recommendation of three-fourths of all the members of the several annual conferences, who shall be present and vote upon such recommendations." The language of the Plan of Separation is, "Whenever the annual conferences, by a vote of three-fourths of all their members voting on the third resolution." It follows, hence, that both by the language of the Discipline and that of the Plan of Separation, the question was to be settled by the aggregate vote of those members of the several annual conferences, who were present in their annual sessions when the question came up, and actually voted upon it. If any refused or failed to vote, with such we have nothing to do; they cannot be regarded as either for or against the measure. They declined the right of suffrage by refusing to act, and the determination of the question rests with those who were present and voted in accordance with the law. In the instance of several annual conferences the vote was contingent, and future events, now to be judged of by the commissioners, were to give an affirmative or negative character to their votes. In the instance of two of these at least (and we believe it to be equally true of four) it is susceptible of the clearest proof that, by their

own official showing, their votes must, beyond all doubt, be counted in the affirmative, or not at all; and in either case, and indeed without reference to either, taking no account of the conferences which refused to vote, it is believed the constitutional majority of all the votes given was in favor of the change; and it will, it seems to us, devolve upon the commissioners of the Methodist Episcopal Church to make the contrary appear before they can, in good faith, refuse to carry into effect the Plan of Separation. To settle this question fairly and honorably, and in accordance with the facts in the case, it is believed that a meeting of the commissioners is indispensable. To this we may add, that the most weighty considerations, both of justice and humanity, demand alike that the question be settled as early as possible, as the dividends to which we are declared entitled by the Plan of Separation, and which that plan pledges shall be paid to us until the division of property shall actually take place, have already been withheld, and our "travelling, supernumerary, superannuated, and worn out preachers, their wives, widows, and children," are literally suffering for the want of funds given in trust for their support, funds to which the General Conference of 1844 not only declared them entitled, but solemnly stipulated to divide with them upon principles of "Christian kindness and strictest equity."

The division of property and funds stipulated contemplates no gratuity to the South, for it is well known that in receiving all the Plan of Separation accords to us, we are receiving but a part of what the South has contributed to the common fund in question.

There is another view of this subject, which in our judgment should not be overlooked by the commissioners. The proposed change in the restrictive rule was regarded by all who favored the Plan of Separation in the General Conference of 1844, merely as means to an end. The end aimed at was an equitable division of the Church property, and the more certainly and securely to effect this, within the established forms of law and order, the change in the question was proposed; such change however, or the want of it, cannot possibly affect, in any form, the question of right or the true issue in a legal process, should it be found necessary to institute such process.

The Methodist Episcopal Church South, intends a most sacred appropriation of the funds they may receive exclusively to the purposes specified in the 6th restrictive article, and not intending to divert them in any way to any other object or purpose, the change recommended by the General Conference can only be regarded as a matter of form, subordinate, in every high moral and legal sense, to the end had in view by the body in the adoption of the Plan of Separation. The object in calling attention to this view of the subject is not in any way to supersede the Plan of Separation, but to insist, as we shall always continue to do, that unless the letter of the Plan shall interpose insuperable difficulties, its spirit and intention plainly and imperatively demand, at the hands of the commissioners, that they carry it into effect, and that they cannot fail to do so without a grave abuse of the trust re-

posed in them. Hence, again, we urge that a meeting of the commismissioners at an early day is necessary to settle this preliminary question, which it appears to us can be conclusively settled in no other way.

It certainly cannot be necessary that we remind the commissioners and book agents of the Methodist Episcopal Church, that the peace and quiet, not less than the character and hopes of the Church North and South, urgently require that this great property question be settled as soon as practicable, and we are most anxious that it should be done amicably, and with good feeling, and especially that it may be done without an appeal to the civil tribunals of the country, and the General Conference of the Methodist Episcopal Church South have accordingly instructed their commissioners to look to such an issue as the last resort, in view of the adjustment aimed at.

In conclusion, the commissioners of the Methodist Episcopal Church South, in view of the facts and considerations to which they have adverted in this communication, would respectfully and urgently call upon Dr. Bangs, as chairman of the commissioners of the Methodist Episcopal Church, to call a meeting of the joint Board of Commissioners, as hereinbefore indicated, and we cheerfully concede to him the right, so far as we are concerned, of fixing the time and place at any period between the last of October and the first of March next.

Very respectfully,

H. B. BASCOM,
A. L. P. GREENE,
S. A. LATTA.

CINCINNATTI, OHIO, *August 25th*, 1846

P. S.—We would respectfully ask and claim, upon the ground of justice and right, that the Commissioners and Book Agents of the Methodist Episcopal Church make a direct call, by the authority of the General Conference of 1844, upon the secretaries of all the annual conferences of the Methodist Episcopal Church, for an authentic, attested statement of the vote or action of each conference, in relation to the change of the 6th restrictive rule, and the commissioners of the Methodist Episcopal Church South will do the same within the limits of the southern organization.

H. B. BASCOM,
A. L. P. GREENE,
S. A. LATTA.

To H. B. Bascom, A. L. P. Greene, and S. A. Latta, Commissioners of the Methodist Episcopal Church South.

DEAR BRETHREN: We have received your communication dated the 25th August, 1846, requesting us to call a joint meeting of the commissoners appointed by the General Conference of 1844 of the Methodist Episcopal Church, and the commissioners appointed by the General Conference of 1845 of the Methodist Episcopal Church South,

in order to adjust the property question, as provided for in the provisional plan of separation adopted by the General Conference of 1844.

In reply to this we have to say that, in our judgment, we have no authority to act in the premises, as we have never been officially notified that the requisite number of votes in the several Annual Conferences has been given in favor of the alteration in the sixth restrictive rule in the constitution of the Church, nor have we any authority to call on the secretaries of the several Annual Conferences to give us the requisite information as you have suggested.

On these accounts we must respectfully decline to act in the premises, as our action would, in our opinion, be null and void.

N. BANGS,
GEO. PECK;
J. B. FINLEY.

New York, October 14, 1846.

11. *The communication of H. B. Bascom, and others, commissioners, to the Bishops and members of the Methodist Episcopal Church, in General Conference assembled, dated Pittsburgh, May 11th, 1848.*

PITTSBURGH, *May* 11, 1848.

To the Bishops and members of the General Conference of the Methodist Episcopal Church in General Conference assembled.

REV. AND DEAR BRETHREN: The undersigned, commissioners and appointee of the Methodist Episcopal Church South, respectfully represent to your body, that pursuant to our appointment, and in obedience to specific instructions, we notified the commissioners and agents of the Methodist Episcopal Church, of our readiness to proceed to the adjustment of the property question according to the plan of separation, adopted by the General Conference of 1844. And we furthermore state, that the chairman of the board of commissioners of the Methodist Episcopal Church informed us they would not act in the case, and referred us to your body for the settlement of the question as to the division of the property and funds of the church. And, being furthermore instructed by the General Conference of the Methodist Episcopal Church South, in case of a failure to settle with your commissioners, to attend the session of your body in 1848, for the "settlement and adjustment of all questions involving property and funds, which may be pending between the Methodist Episcopal Church, and the Methodist Episcopal Church South," take this method of informing you of our presence, and of our readiness to attend to the matters committed to our trust and agency by the Methodist Episcopal Church South; and we desire to be informed as to the time and manner in which it may suit your views and convenience to consummate with us the division of the property and the funds of the Church, as provided for in the plan of separation, adopted with so much unanimity by the

General Conference of 1844. And for our authority in the premises we respectfully refer you to the accompanying document, marked A.

A. L. P. GREENE,
C. B. PARSONS,
L. PIERCE,
Commissioners.
JNO. EARLY,
Appointee.

To this communication no reply was received.

12. *The letter of H. B. Bascom and others, commissioners, to N. Bangs and others, dated Pittsburgh, May 18th, 1848, and the reply thereto, dated Pittsburgh, May 20th, 1848.*

PITTSBURGH, *18th May*, 1848.

The undersigned, commissioners of the Methodist Episcopal Church South, appointed by the General Conference of said church, in accordance with the plan of separation adopted by the General Conference of the Methodist Episcopal Church, in 1844, would respectfully represent to the Rev. Nathan Bangs, George Peck, and James B. Finley, commissioners on the part of the Methodist Episcopal Church, that it is important their stay in the city should not be prolonged beyond the period necessary to accomplish, as far as may be found practicable, the objects of their commission; and with a view to a correct decision in the case, the undersigned beg leave to inquire: 1st. Whether, as commissioners appointed by the General Conference of 1844, to act in concert with a similar board of commissioners, in behalf of the Church South, provided for in the plan of separation, you regard yourselves as authorized to act in the premises under the authority above; and if so, in what form? 2d. Should your answer to this inquiry be in the negative, we would respectfully ask, have you any thing to propose to us, as commissioners of the Methodist Episcopal Church South, designed to carry into effect the provisions of the plan of separation having reference to the division of the church property?

Very truly and respectfully,

H. B. BASCOM,
A. L. P. GREENE,
C. B. PARSONS.

Rev. N. Bangs, George Peck, and Jas. B. Finley.

PITTSBURGH, *May 20th*, 1848.

Rev. Messrs. H. B. Bascom, D. D., A. L. P. Greene, and C. B. Parsons.

GENTLEMEN: The undersigned have the honor to acknowledge the receipt of your communication of the 18th inst., and would respectfully reply:

1. That the conditions upon which their powers, as "commissioners" appointed by the General Conference, at its session of 1844, were made to depend, having failed, they have not, and never had, power to act in the matter in question.

2. In accordance with the above view they would respectfully say, that they have nothing to "propose" to you touching these matters.

With sentiments of esteem, yours,

GEORGE PECK,
JAMES B. FINLEY.

13. *The discipline of the Methodist Episcopal Church South.* (To be referred to.)

THE UNITED STATES OF AMERICA,
District of Ohio, ss.

I, William Miner, clerk of the circuit court of the United States, for the district of Ohio, do hereby certify, that the foregoing is a true copy of the record of a certain cause determined in said court, at the October term, 1852, wherein Willam A. Smith et als. were complainants, and Leroy Swormstedt et als. were defendants, as the same appears among the records of said court in my office.

In testimony whereof I have hereunto subscribed my name, and affixed the seal of said circuit court, at the city of Columbus, [SEAL.] this 20th day of January, A. D. 1853, and in the 77th year of the independence of the United States of America.

WM. MINER, *Clerk.*